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PROSTITUTION IN EUROPE

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PROSTITUTION IN EUROPE

CANCELLED

BY

ABRAHAM FLEXNER

ABRIDGED EDITION

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EDITOR'S FOREWORD

THE present volume has been abridged from Mr. Abraham Flexner's *Prostitution in Europe*, which was published in New York in 1914.* The book was issued under the direction of the Bureau of Social Hygiene, the Chairman, Mr. John D. Rockefeller, Jr., contributing an Introduction which explains the general objects of the Bureau and the particular circumstances in which this book was written. "The author," says Mr. Rockefeller, "describes prostitution in Europe and discusses the various methods of handling it now employed in the large cities of Great Britain and the Continent. The subject is a highly controversial one. For this reason, its investigation was assigned to one who had, on the one hand, previously given it no critical thought or attention, but whose studies of education in this country and abroad had demonstrated his competency to deal with a complicated topic of this nature. Mr. Flexner was absolutely without prejudice or preconception, just as he was absolutely unfettered by instructions. He had no previous opinion to sustain; he was given no

* The complete edition is published in England by Grant Richards, Ltd.

Foreword

thesis to prove or disprove. He was asked to make a thorough and impartial examination of the subject and to report his observations and conclusions. He enjoyed the fullest possible facilities for his enquiries and to them and the writing of this book devoted almost two years."

Thus Mr. Flexner's book is exclusively a scientific investigation of the problem of prostitution. In editing it the general aim has been to preserve the scientific argument in its integrity, though explanatory notes, references to authorities, and many illustrative examples have been omitted. In Chapter X, several of the graphs and diagrams have been omitted, and the appendices consisting of translations of police regulations in the more important European cities, and of the Danish Law relating to venereal disease, are not included in this edition. Among the authorities freely used by Mr. Flexner may be mentioned *Zeitschrift*, Ivan Bloch's *Die Prostitution*, the works of Louis Fiaux, Parent-Duchatelet's *De la Prostitution dans la Ville de Paris*, the reports of French and Swedish Governmental Commissions, Police Reports of the cities visited, Sanitary Reports, etc.

J. F. H.
1918

December, 1918.

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CHAPTER I

PROSTITUTION : DEFINITION AND DISTRIBUTION

Scope of investigation.—General uniformity of phenomena.—Prostitution an urban problem.—Medieval and modern prostitution differ.—Prostitution defined.—Need of broad conception—Immorality distinguished from prostitution.—Prevalence and significance of immorality.—Prostitution not necessarily a permanent status.—Mortality of prostitutes.—Number of prostitutes.—Forms taken by prostitution.—Influence of alcohol.—Homosexuality.—The pimp.—The Paris prostitute.—The cost of prostitution.

PROSTITUTION will be studied in these pages from the standpoint of the practical experience of European countries. An effort will be made to ascertain its forms and extent, the sources from which it is recruited, the conditions that either cause or conduce to it, the procedure of different communities in dealing with it and with the conditions responsible for it, the measures which have been employed by way of combat or control, and the results which have been thus obtained. Material will be drawn from extended personal inquiry and observation in the larger cities of England, Scotland, France, Italy, Belgium, Switzerland, Holland, Denmark, Norway, Sweden, Germany, Austria-Hungary,—from the countries, in a word, that may be grouped as Western Europe, because they are characterized by a considerable degree of similarity in all that pertains to social life, national ideals, and political institutions.

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In the countries just specified, neither law nor opinion is strictly homogeneous: in consequence, the phenomena under consideration respond to differences of viewpoint or pressure by somewhat altering their external manifestations. None the less at bottom the situation is sufficiently similar to support the generalized method of treatment which has been adopted in this book. Distinctions will not be ignored; but on the whole it will appear that they serve rather to emphasize fundamental agreement. Recent investigation, indeed, tends to show that such agreement is of far wider scope than is here assumed; for in prostitution, if nowhere else, the old adage holds—"There is nothing new under the sun." The source-books of both ancient and medieval worlds disclose an amazing identity with modern times in this melancholy respect.

Such differences as still persist—in regard to viewpoint, form, or public policy,—are, at least in the area here dealt with, in a fair way to disappear. The progress of democratic thought and government, increasingly easy and unobstructed trading, the advance of industrialism with the revision of the ethical code following in the wake of practical sex equality, finally, even deliberate imitation are rapidly developing decided homogeneity of attitude and effort in reference to many fundamental human concerns. The student of the particular subject with which we are occupied is, therefore, nowadays, more and more likely to be struck by the uniformity of

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phenomena rather than by local or national peculiarities, in the course of an inquiry that begins in Glasgow and concludes in Budapest.

At the outset it is important to observe that throughout Western Europe prostitution has in the last few centuries undergone essentially the same evolution. Prostitution is an urban problem, its precise character largely dependent on the size of the town. Now the medieval town in Western Europe was small. The really great cities of the middle ages were all Islamic: Constantinople, Bagdad, and Cairo numbered more than a million souls apiece, Seville and Cordova were each half as large. Beside these the main cities of Western Europe were in point of size insignificant. Size largely determined the character of urban life and therewith the nature of medieval European prostitution. The inhabitants of these hardly more than villages were well known to one another; the family was still an intact organization; the floating population—aside from organized movements like the crusades, pilgrimages, or armies,—was not voluminous; at any rate the stranger was known as such. Medieval prostitution was, in the main, of two varieties, resident or itinerant: the former more or less commonly living in regular houses of prostitution—the so-called bordells; the latter, either vagrant or informally attached like the camp follower to the temporal or spiritual armies that swept to and fro across the continent, now waging war, now fulfilling religious vows.

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Modern conditions contrast strongly with those that I have just sketched. The cities, themselves huge, are for practical purposes still further enlarged by the subsidiary communities that hang about their fringes. In these latter-day Babylons, the family is frequently scattered; thousands of detached, more or less friendless, more or less irresponsible, girls and boys pour into them to earn a livelihood under conditions that, so far from forming, actually disintegrate character and ambition. The situation is still further complicated by the continuous presence of a huge floating population, in Paris, Berlin, and London reaching into hundreds of thousands, restlessly surging in and out, in search of trade, excitement, or amusement. Within the more or less tightly closed circle, characteristic of a simple community, the members of which are known to one another, mutual demands in the matter of conduct uphold the accepted ideal and tradition; family and clan morality thus sustain the weaker members. But in the modern Babylons of which I am speaking, one no longer knows one's nearest neighbours. Temptation and inducement wax strongest, precisely where protection and restraint have become feeblest. The mere numerical increase and the absolute impossibility of classifying women and men as virtuous or vicious on account of sheer ignorance of their life and character thus profoundly differentiate medieval from modern prostitution. The former was at once

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limited and definite; the latter is not only huge, but vague.

From a practical point of view, these are facts of unmistakable importance. While thirty lewd women in a town of 3,000 inhabitants and 5,000 in a town of half a million represent precisely the same proportion—one per cent. in both cases—nevertheless the quantitative increase makes an enormous difference in the feasibility of measures designed to deal with one aspect or another of the situation. A device that might conceivably be effective on the smaller scale would probably break down completely if applied on the larger.

An additional difficulty is due to mere size; the prostitute cannot be strictly discriminated in the huge modern city. Wherever professional prostitution has flourished, so-called clandestine prostitution has existed. But in the middle ages clandestine prostitutes were individually so notorious that, even when they avoided the bordell, they frequently lived in the bordell quarter. In precisely the same way, there exists to-day in Europe the avowed professional prostitute and the equally notorious and unmistakable so-called clandestine prostitute,—both perfectly obvious to the police as well as to the casual observer. But a highly important distinction must be noted: of modern prostitution this known contingent, partly outright professional, partly so-called clandestine,*

*Any prostitute who is not registered is called "clandestine" by Continental usage.

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is the smaller and, from many points of view, the less significant fraction.

In the endeavour to arrive at an accurate definition of prostitution no little effort has been expended. Different conceptions are possible from different points of view. The continental police define prostitution from the standpoint of registration or inscription : as a rule they register or, where the system has been discontinued, used to register, only professional prostitutes,—women, that is, who have no other means of support than prostitution. From the police point of view the prostitute is therefore an inscribed woman, or a woman who, somehow eluding inscription, ought to be inscribed, or one who is at any rate liable to inscription, on the ground that she earns her livelihood through sexual promiscuity. Vast numbers, however, escape through the wide meshes of this net. Many prostitutes are actually engaged in some sort of remunerative work. The barmaids of the German "Animierkneipe," the singers and dancers of low grade Variétés are prostitutes who obtain their customers by means of their occupations ; yet they are usually exempt from inscription as professional prostitutes because gainfully employed, and being exempt from inscription they fall outside the police definition of professional prostitution. The mere fact that partial or even pretended employment is a protection against police interference leads many prostitutes to keep up a more or less nominal connection with work. Of 1,177 venereally diseased

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women, undoubtedly prostitutes, treated in the municipal hospital of Zurich, only 7.9% owned to being prostitutes; 6.7% more confessed to no employment, but all the others—85.4%—claimed a vocation of some sort. It is therefore obvious that the police definition fails to square with the facts. Parent-Duchatelet, following an official declaration, uses the term prostitution, where “several mercenary acts of immorality have been legally established, when the woman involved is publicly notorious, when she has been caught in the act by other witnesses than her accuser or the police agent.” By way of contrast with the narrow conceptions above given, I shall, for reasons that will shortly appear, consider prostitution to be characterized by three elements variously combined: barter, promiscuity, emotional indifference. The barter need not involve the passing of money, though money is its usual medium; gifts or pleasures may be the equivalent inducement. Nor need promiscuity be utterly choiceless; a woman is not the less a prostitute because she is more or less selective in her associations. Emotional indifference may be fairly inferred from barter and promiscuity. In this sense, any person is a prostitute who habitually or intermittently has sexual relations more or less promiscuously for money or other mercenary consideration.

Barter, emotional indifference, and more or less promiscuity do not in modern cities characterize the sex relations of the avowed or professional prostitute

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alone. They are equally characteristic marks of the clandestine prostitute, using the term in its literal meaning to designate the numerous class of professional prostitutes whose real character is known only to their own clientèle and their close female companions; of the occasional prostitute,—women who alternately emerge from and relapse into an irregular life; of the incidental prostitute,—those who carry on more or less prostitution without interrupting some honourable employment; of women who practise prostitution under cloak of other occupations; of women, who ceasing to be kept as mistresses practise prostitution as a stop-gap until a firmer footing is once more found; of women who reserve themselves by express arrangement for a small group, none of whom can alone afford their support; of women, who faithful to one individual at a time are still taken up by a succession of men paying for favours; finally of married women, by no means always of the lowest classes, who, perhaps irreproachable in the eyes of the world, are not above earning through ignominy the price of luxuries. Here are eight different categories, falling outside the narrow conception of prostitution, but nevertheless belonging to prostitution, if prostitution is conceived to be characterized by barter, emotional indifference, and promiscuity.

For this broad construction there exist the most substantial of grounds. Why do we object to prostitution at all? Obviously, it is repugnant for one or more of several reasons; in the first place, because of

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the personal demoralization it entails; in the second, because of economic waste; again, because it is by far the main factor in the spread of venereal disease; finally, because of its intimate association with disorder or crime. Unquestionably the full-time notorious prostitutes who are the especial objects of police care exemplify all the counts in this indictment. Part-time prostitution, occasional prostitution, pretentious prostitution, all the various kinds and grades above enumerated naturally and inevitably conduce to similar results. They may be less conspicuous or less offensive, but they are equally dangerous. If then prostitution is objectionable because of demoralization, waste, disease, or crime, then it is necessary so to define it as to include all the varieties to which one or more of the unfortunate results in question is attributable. The lowest forms are most closely connected with crime and disorder, and as the police are mainly concerned with crime and disorder, they content themselves with a working conception of prostitution that goes no further. But the general concern of society must regard as hardly less serious menaces to its highest welfare the personal demoralization, the economic loss, the spread of disease equally associated with the less gross forms of the evil.

It is, however, in respect to disease that the wide definition can be most readily and fully justified. Venereal disease is the certain harvest of any degree of promiscuity in the sex relation. The diminution

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of venereal disease is one of the most pressing objects of hygienic effort; it can be accomplished only by some sort of interference with prostitution. It would therefore be absurd to define prostitution so narrowly that many of the regular foci of infection remain outside the definition and hence beyond the reach of any policy contrived for the purpose of dealing with them. How numerous the foci are which a narrow conception would thus ignore will be more fully shown in subsequent chapters. A statistical study of venereal disease at Mannheim covering nine years (1892-1901) showed that 63% of the infections were traceable to professional prostitutes in the narrow police sense of the term, no less than 37%, however, to the occasional, incidental, and other prostitutes here explicitly included in the term; among whom girls in active service as waitresses, servants, and shop-hands are the most important. A similar statistic from Hanover proves in the same way that it is from the standpoint of sanitation absurd to limit prostitution to the absolutely indiscriminate, professional and notorious activity: of 330 women, to whom infections were traced, 42% (139) were outright professionals, though only partly inscribed, the remaining 58% being mainly girls who were simultaneously engaged in paid employments in shops, taverns, domestic service, theatres, etc. Such conditions prevail generally on the Continent. The Munich police have lately made a most careful study of the callings in which 2,574 clandestine prostitutes well known to

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them are simultaneously engaged: 721 are servants, 608 are waitresses, 250 factory workers, 246 seamstresses, 60 are connected with the stage, 52 are laundresses, 40 dressmakers, 28 models, etc. Similar results can be cited from other sources. The police of Hamburg are at any rate logical, for there girls employed in bars and fish-shops may be registered as prostitutes. Under conditions in which barmaids, shop girls, servants, chorus girls, etc., are either permanently or intermittently engaged in prostitution, and when so engaged bring about precisely the same sort of damage that is wrought by prostitutes who are nothing else, it is manifestly illogical to use the term so as to designate the latter class only. The fact that complication with disorder attaches only to the lower types is assuredly no reason for restricting the designation of prostitution to them, once we realize that, on the score of personal demoralization, economic waste, and the danger of disease, the more sophisticated or subtle forms of commercialized immorality are equally dangerous and destructive. Prostitution will therefore in these pages be construed to mean more or less promiscuity—even transient promiscuity,—of sex relationship for pay, or its equivalent.

The definition just given is intended to exclude both immorality and unconventionality in the sex relation, though, for reasons that will appear, they require incidental discussion in an account of prostitution. Of these unconventional or irregular sex relationships there are in Western Europe many varie-

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ties, more or less widespread. Most substantial is the informal union which serves as a substitute for marriage. In these combinations mutual fidelity is expected, as well as complete responsibility for such children as may be born. A combination of this sort is occasionally permanent; occasionally it is converted into marriage; oftener, perhaps, it binds only during mutual congeniality, being dissolved when congeniality ceases, or more frequently when one or the other member has already entered on the stages preliminary to another combination. In the city such informal mating of industrial workers of opposite sexes is common; the shop girl contracts an alliance of this kind with a clerk of her own class, or not infrequently with a student or professional man, more or less above her in rank. Of the non-legalized cohabitation of the artisans of London, Booth remarks that at times "they behave best if not married to the women with whom they live." An informal relationship may continue as such until a child is born—or shortly after—whereupon the neglected rites may be duly performed. The high percentage of illegitimacy is thus partly accounted for: In Berlin 20% of the births are outside of wedlock; in all Germany, almost 10%. "Frequent illegitimacy," writes Adele Schreiber, "may be the expression of wholesome monogamous conditions, as indeed is often the case in mountainous countries. Premarital relations are there common, are characterized by mutual fidelity and, with exceptions of course, look

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forward to marriage when a child is born and the parents are able to establish a home." These relations must be distinguished from the episodic connection that is a mere incident in the course of casual companionship. Mainly in this latter sense, "immoral relations before marriage among the lower classes are not unusual and are indulgently regarded," writes Charles Booth of London. Devon, describing Glasgow conditions, observes to the same effect that "girls do not seem to suffer in self-respect nor greatly in the esteem of others, if they yield themselves to the lad who is their sweetheart for the time. If decency is observed, morals are taken for granted." On the Continent these conditions also exist. Of certain communities in Saxony it has been deliberately asserted that "no girl over sixteen is still a virgin"; the German peasant is declared to have no conception of the meaning of chastity.

Episodic laxity unquestionably exposes the girl to dangers that readily result in prostitution, just as it develops in her comrade the appetite that leads him to consort with prostitutes. But in itself mere laxity is not to be confused with prostitution. The instances above given show indeed how widely immorality varies in ethical quality. An irregular sex relation may indicate only carelessness of the convention that restricts sexual congress to the married relation; it may, at the other extreme, indicate total indifference to the ethical standard that forbids sexual commerce unaccompanied by high emotional sanction, mutual

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respect, complete responsibility for the natural result. It must be remembered, therefore, that irregular sex connection may not only lack barter or promiscuity, but on the woman's side at least may possess high emotional colouring, whether she be mistress, unwedded wife, or compliant sweetheart.

In the designation of prostitute there is nothing final or irretrievable. The tendency is undoubtedly towards complete disintegration; women who drift into it may drift more and more deeply into the morass. But the numerically more powerful drift is nevertheless outwards; while some are overwhelmed, thousands emerge. Modern prostitution is therefore unprecedentedly fluctuating in character. Johansson's admirable studies of the data contained in the Inspection-bureau of Stockholm "show that the same woman who one month is in domestic service or at other work will the next month register with the police and thus enter the ranks of professional prostitution; the third month she will have her position again and be freed from the requirement to undergo inspection; thus the thing shifts for years and years." During the first three years of registration a considerable number of the women leave Stockholm, give up prostitution and become domestic servants or factory hands. This has been the case since modern urban conditions began: "Let us recollect," wrote Parent-Duchatelet, "that for the majority of public women prostitution is a transitory estate; they quit for the most part after a year; very few indeed remain until

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death." The Munich barmaid who is sexually more or less indiscriminate inflicts upon society for the time being the same sort of damage as the notorious prostitute; she herself deteriorates, she exposes herself to disease, in the spread of which she is subsequently a factor; she is therefore a prostitute. But once she rehabilitates herself, her status changes.

We are thus enabled to understand what has long figured as a mystery. What becomes of the ordinary prostitute? For the common notion that her expectation of life is some five or six years, there is no basis in fact whatsoever. It is demonstrably untrue even of the avowed professional or registered continental harlot. Though her resistance is weakened, an early death need not and as a rule does not ensue. Of 3,517 women inscribed at Paris, Parent-Duchatelet notes that 980—close to 28%—have been on the Paris list longer than seven years; and the Paris list is neither the beginning nor the end of the careers of most of the women inscribed. This is obvious from the further fact that of the 3,517 women in question, 1,269 admitted the practice of professional prostitution during more than five years. Johansson has made an elaborate comparison between the mortality of inscribed prostitutes and that of the corresponding age groups of the female population of Stockholm; the inscribed women show the higher rate, but by no means so large as is popularly supposed:

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	1870-4	75-79	1880-4	85-9	90-4	95-99	1900-3
Percentage of mortality among inscribed pros- titutes	17.1	13.6	14.7	10.9	8.4	9.0	7.8

Among corresponding age groups of Stockholm's female population	12.0	9.1	7.6	6.4	5.7	4.8	4.7
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The mortality among the registered prostitutes of Vienna in the years 1879-1882, inclusive, averaged less than $\frac{1}{2}$ of 1%; at Berlin for approximately the same period $1\frac{1}{4}\%$; for the years 1904-6, it was only 4-5 of 1%. The mortality among the more cautious women, less exposed to wind and weather and alcohol, is probably lower still. English statistics, though bearing less directly on the point, establish a similar presumption. Through the London Venereal Hospital for women, some 400 patients annually pass; the average number of deaths during each of the last twenty years has been less than three. If there were 10,000 prostitutes in London—a low estimate,—there would be an annual death rate of 2,000, provided we assume a five year lease of life: yet out of 790,000 women between 18 and 35 resident in London, only 3,059 died in 1909. The fact is that prostitutes disappear rather than die,—an explanation of great practical significance as we shall discover; only a part—it is uncertain of what size—remain prostitutes: a small fraction marry, a much larger fraction return to work; those who stick to the business wind up as the servants of younger prostitutes, occasionally as brothel-keepers; a few of them are found as

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aged hags, offering themselves for a copper coin below the bridges of Berlin or in the dark corners of Whitechapel.

The considerations just dwelt on make anything approaching an accurate estimate of the number of prostitutes in a given city entirely impossible. In the first place, because of the general flux above described; in the second, because particular causes—the conditions of trade, the season of the year, the presence or absence of local festivities, such as the Wakes and Bank Holiday in Great Britain, the October Fest at Munich, the Carnival at Cologne, finally, the varying pressure of local authorities, all operate to disturb for better or worse the general movement above indicated. At Paris, Maxime du Camp assessed the number of prostitutes at 120,000,—an estimate that has by common consent been rejected as manifestly absurd; M. Lépine, the able and accomplished ex-Prefect of Police, inclines to a figure varying from one-half to two-thirds as large, say 60,000 to 80,000—itsself generally viewed as much too high, even on a liberal interpretation of the terms; MM. Yves Guyot and Augagneur, distinguished publicists, estimate 30,000; Carlier, formerly chief of the municipal police, concedes only from 14,000 to 17,000. His logic is worth noting, for I shall recur to a similar method of calculation. He assumes that for every clandestine prostitute actually arrested for solicitation, intoxication, etc., “there are at least five or six more who ought to be.” But the method is not reli-

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able: in the first place, because in any case the multiple is probably too small; in the second because the fluctuation in arrests shows clearly that arrests do not increase "pari passu" with the increase in population, while clandestine prostitutes increase still faster.

An estimate of 80,000 was once current for London,—an unquestionable exaggeration. The Home Office reported in 1837 that the total number of prostitutes known to the police as living in houses of ill-fame, walking the streets and infesting low neighbourhoods was 9,409; twenty years later a similar return made by Sir Richard Mayne, Commissioner of the Metropolitan Police, based on detailed reports from the several districts yielded a total somewhat smaller, 8,600; a decade later the number similarly reached had fallen to 6,515. An unofficial count recently made disclosed 8,000. If the figures for 1837 and 1857 are fairly representative, the later ones are certainly much too low.

Equally uncertain calculations have from time to time been put forth respecting other great cities. Dufour estimated the clandestine prostitutes of Berlin at 50,000 in 1896, at a time when just above four thousand were enrolled, assuming, that is, 12 clandestine for every registered woman. In three successive years, 1889, 1890, 1891, the morals police arrested for solicitation and similar offences 3,220, 3,537, and 4,019 women respectively; of these, 640, 735, and 792 respectively were registered by the police on the ground that they were incorrigible; the rest were

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warned and released. It would appear, therefore, that, as the police register only 1-5 of those they arrest, clandestine prostitution is at least five times as extensive as professional; on this basis we must assume 20,000 clandestine prostitutes for the German capital—probably an underestimate, since, large numbers of clandestines never being arrested at all, five is too small a multiple to employ.

It is perhaps needless to quote similar estimates for other places, except by way of driving home the enormous extent of the evil. The prostitutes of Vienna have been rated at 30,000, of Glasgow at 17,000, of Cologne at 7,000, of Munich at 8,000. The police records of Rome show 5,000 women who have been in their hands latterly for some offence connected with prostitution; a Dutch register in process of compilation at police headquarters, Amsterdam, already contains upwards of 7,000 names. For the German Empire as a whole, a not unreasonable calculation of 330,000 has been ventured. But the only safe data refer to the number of registered women and the number of arrests; and though the former are confessedly only a small fraction, their sum total is itself not to be passed over lightly from whatever standpoint the matter is regarded: Paris with its 6,418 (1903), Berlin with 3,559, Hamburg with 935, Vienna with 1,689, Budapest with 2,000. If the evil is, on the average, only five times as extensive as these figures indicate, there is enough to be alarmed at.

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Left to itself or to unhampered exploitation prostitution seeks everywhere the same sort of outlets; the free professional, the clandestine, the occasional, the partial, hunt their prey, openly or furtively, according to circumstances, in the crowded thoroughfares of retail trade, or loiter in cafés and theatre promenades. A large number avoid publicity and obtain their clientèle in the guise of friends through introduction or recommendation or through the keepers of *rendez-vous*-houses, who arrange appointments by means of photographs and fill orders for patrons desiring a person of particular type. A small and steadily decreasing number of prostitutes suffer themselves to be immured in bordells, i.e., houses of prostitution licensed or authorized by the police in certain towns, e.g., in Germany, France, Austria-Hungary, Italy, and in Geneva, and conducted by a proprietor or mistress who collects the entire income, paying the inmates a stipulated percentage. In places where bordells are forbidden as well as in places where they exist, a non-licensed and more or less similar establishment has sprung up,—the brothel, which commonly represents itself as a boarding-place, where a certain number of prostitutes have their own rooms, pay the keeper a fixed sum for their keep and retain whatever else they earn. Into such establishments the police of Hamburg, Bremen, Dresden, Cologne, having the right to designate the registered prostitute's dwelling-place, yet being forbidden to license bordells, force as many of the women as they can lay hold of,—a

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violation of the statute in spirit, as we shall shortly perceive. In London and Berlin, the brothel takes a looser form. It is worth noting, that a segregated district, into which the prostitutes of a city are confined, exists nowhere in Europe, and is nowhere supposed to be either desirable or feasible. A few streets—in Hamburg for example—are tenanted either only or almost entirely by prostitutes under police pressure; but they do not form a district, for they are widely separated, and they contain in any event only a fraction of the total number of local prostitutes,—not even all the registered women of the city. A single street in Bremen is inhabited altogether by prostitutes; but it is absurd to speak of segregation in reference to seventy-five women in a town containing hundreds of others living at large.

Prostitution tends, further, to associate itself with the sale of alcohol; in consequence of which loose women congregate in low-grade drinking and amusement-places, and are utilized wherever law and custom do not interfere, to assist in the sale of drink. In the German cities, outright prostitutes are employed to push the sale of drink, by drinking with and otherwise entertaining their already more or less intoxicated patrons; screened corners and a quick succession of new faces characterize the so-called Animierkneipe and American-bars, which are bitterly denounced as perhaps the most demoralizing form that prostitution has as yet assumed. Hardly more than a variation of Animierkneipe is the dance-hall,

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variété, or cabaret, where the “artiste” is a prostitute mingling freely with the audience at the conclusion of her turn and relying largely on alcohol to make her way quickly with her casual acquaintances. Finally, pretended employments,—cigar shops, massage-establishments, and employment agencies illustrate in one place or another at once the timidity and stubbornness of the phenomenon.

One more word is required here by way of mere description. Prostitution in Europe as an organized business is by no means limited to the intercourse of persons of opposite sexes. A homosexual prostitution,—prostitution, that is, in which the parties belong to the same sex,—has developed on a considerable scale. Notorious resorts for those addicted to homosexuality are to be found not only in Paris but in smaller towns, like Hamburg. Berlin is, however, probably the main mart. In prominent thoroughfares, bars exist to which only women resort as well as bars to which no woman gets access; and at intervals large homosexual balls are given, attended only by persons of a single sex. I witnessed one such affair, at which some 150 couples, all men, appeared. It is estimated that between 1,000 and 2,000 male prostitutes live in Berlin; forty homosexual resorts are tolerated by the Berlin police; and it is reported that some 30,000 persons of marked homosexual inclination reside in the German capital.

The prostitute is everywhere attended by a complementary phenomenon—the pimp, who lives upon her

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earnings, in return for which she is as a rule treated with brutality. The police estimate that something like 50% to 90% of the prostitutes of the large European cities support men in this fashion. The tie is easy to describe, difficult to understand. No practical advantage accrues to the woman, for in Europe the pimp affords her absolutely no protection against the police; indeed, the reverse is apt to be the case, for the police, tolerant of an inoffensive prostitute though they be, are unrelenting in their hostility to the pimp whom they rightly regard as a criminal, either actual or in the making. One is thrown back for an adequate explanation on the fundamental fact of sex relation. The woman has no attachment whatsoever with her stream of casual customers; but the pimp belongs to her. A vestige of affection, a sense of property lies at the bottom of the connection; her blunted sense does not revolt from the price she pays for it.

Despite the general similarity to which I have repeatedly adverted, there is a notion current that prostitution in Paris is subtly different from that in other great cities, that the women are less mercenary, the practice less odious or repulsive. Parisian prostitution enjoys indeed the glamour of a Bohemian background and a more picturesque tradition; but beyond this I saw no reason to think the notion well grounded. In my observation, prostitution is everywhere purely mercenary, everywhere rapacious, everywhere perverse, diseased, sordid, vulgar, and almost always

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filthy. In her bloom, the Parisian cocotte possesses a bit of Gallic grace and verbal cleverness that is perhaps denied to English, German, or Scandinavian women of the same class. But it is soon brushed away by excess, drink and perversion. Pretentious prostitution is indeed nowadays international; there is no distinction in type, origin, or bearing between the women of Monte Carlo, Ostende, the Ambassadeurs, or the Palais de Dance. At the lower level, all is equally sordid everywhere. The grisette of the Bal Tabarin is, like her English or German sister, a pathetic figure, whose livelier speech and simulated gaiety does not hide poverty, loneliness, vulgarity, or the ravages of overwork, irregular hours, disease, and absinthe. A day at St. Lazare or police headquarters quickly dispels any illusion one may entertain on this score: Holloway Jail and the Inspection bureaus of Hamburg, Vienna, and Stockholm have nothing more degraded or repulsive to show.

The cost of prostitution, near and remote, direct and indirect, outruns any calculation that one would dare to formulate. Payment for service varies from a few copper coins to several hundred marks or francs; incidental expense for accommodations, amusements, liquor, gratuities, gifts, may double the immediate outlay. The Berlin street girl of fair grade demands five or ten marks; with her customer she takes a cab or taxi, for which he pays; they resort to a hotel or room of which she has the use and for which he pays perhaps six marks more; she demands

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pin-money for herself, the maid or concierge. "The Berlin street-walker," writes Schneider, "immediately asks the stranger whom she accosts: 'what will you give me?' Once at home with her, the bargaining begins anew, for, now that she has him, she can raise her demands." Impossible as it is to be definite, one fact stands out: the prostitute living at large is swindled by every one who has dealings with her: her landlord, by way of recompense for the legal risk he may run, the dressmaker, milliner, grocer, butcher, etc. Nor is her outlay limited to her own necessities, for she must earn enough to satisfy the rapacity of her pimp, besides.

A clearer picture can be obtained in the case of the bordell, where business methods prevail. The more elaborate of these establishments represent large investments. Fiaux cites a second-class establishment in Paris that yields an annual profit of 70,000 fr. and notes that the same proprietors often run a chain of houses. In these places, a minimum price for service is usually fixed; entrance fee, tips, and alcohol are of course "extra." In Paris, the entrance fee at pretentious establishments is 20 francs; from that it ranges downward as low as five. The inevitable bottle of wine at the former also costs 20 francs; at the latter, whatever can be wheedled or coaxed. Rendezvous establishments, incurring greater risk, charge correspondingly; 40 francs, if modish; five, if utterly wretched. Those with a care-

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fully guarded clientèle sometimes exact as much as 100 francs!

In the long run, whatever the women earn, they rarely have anything to show for it. The bordell-keeper plies them hard and then manages to keep them in her debt. Despite the fact that they may entertain anywhere from five to fifty guests in twenty-four hours, they do not own the clothes on their back, when they make up their mind to leave! Schneider calculates the minimum payment of a girl for bare living in the better bordells of Hamburg, Leipzig, and Vienna at 300 to 600 marks a month—an underestimate, as he himself subsequently avers. Seventy-five wretched creatures are harboured in the barracks of Helenenstrasse, Bremen, independently of each other; several of them figured out for me the amount they must earn merely to live; from which it appeared that 10,000 marks a year each barely sufficed. In the Roman brothels, the girls must average 10 to 12 men a night, in order to earn the high charges made for their keep; at Dresden, the bordell women are charged up with 100 marks a week for mere board and lodging. Among the common prostitutes of Stockholm are found women who claim to earn—and to spend—sums ranging from 3,000 to 12,000 crowns annually. A careful study was made by Dr. Lindblad of 712 cases; the number of customers ran from less than one on the average daily to as high as 20 when business was brisk; assuming 225 working days per year, the women

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must have averaged incomes of £216 each annually. Of 569 from whom information could be obtained, 513 save absolutely nothing, and only seven claimed to have saved a tidy sum.

I have spoken thus far only of the money immediately involved,—the sums paid to the prostitute for her service, the sums paid out by her for her keep. But the account is not so simple. We may not overlook the loss involved in the unproductiveness of this army of women; expenditure on alcohol, gifts and demoralizing amusements; the long score chargeable to venereal disease, including the loss in earnings and the outlay for treatment. Upwards of 10,000 individuals are now annually treated for venereal complaints in the public hospitals of Berlin alone. Of the total loss only the roughest guesses can be made. Losch, for example, has reckoned the annual cost of prostitution to the German Empire at something between 300 and 500 million marks. This outlay may be contrasted with that spent by the Prussian Government on its entire educational system involving a budget in 1909 of a little less than 200,000,000 marks. Assuredly the economic burden imposed on society by prostitution is comparable with that due to standing armies, war, or pestilence.

CHAPTER II

THE DEMAND

Prostitution involves two parties.—Extent of demand in Europe.—Theory of its necessity.—Is physiological impulse irresistible?—Analysis into various factors.—Demand emanating from woman.—Effect of improvement in social status.—Changed attitude of medical profession.—Reduction of demand through education.—Sex education in Europe.—Influence of demoralising literature.—Recent improvement.

PROSTITUTION is usually described and discussed from the standpoint of the women involved alone; but the problem cannot be understood so long as it is approached solely from that angle. In every act of prostitution at least two parties, usually, but not always, of opposite sex, are concerned. Not infrequently, these two individuals are so far from constituting the entire situation that they may be mere puppets in the hands of others: the man, the victim of shrewdly devised suggestion or excitement; the woman, the bait cunningly dangled by pimp, brothel-keeper, or publican. Under such circumstances it is plainly absurd to speak of prostitution as if it were only or even mainly the act of the woman; as if women took to prostitution simply because they were marked out for a vicious life by innate depravity or even forced into it by economic pressure. Inclina-

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tion on the one hand, need on the other, are among the factors that will assist us to understand the problem; but a fundamental and antecedent condition is the existence of a market, clamouring for wares of a particular kind and furnishing an opportunity for the forced sale of such wares as do not themselves immediately find buyers. Instead, therefore, of explaining prostitution as if it were caused by certain conditions affecting solely or primarily the constitution or environment of women, I shall view it from the standpoint of demand and supply. We shall find that both of these are variable factors. The demand can within limits be stimulated or checked; the supply can be increased or decreased; and the increase of supply can be so manipulated as to increase demand. The two partners—the man and the woman—thus not only interact on each other, but are both played upon by agencies lying outside themselves. This method will have the advantage of demonstrating the interlocking relations of the man, the woman, and the exploiter.

That this procedure is both fair and sound a moment's consideration will show. If the prostitution of women had specific causes, in the sense in which the term cause is used in science, then, wherever such causes are present, prostitution should result. There are, however, no conditions of which this can be affirmed. For example: prostitutes have often been, as we shall see, domestic servants. Yet service, even under unfavourable conditions, cannot be

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said to cause prostitution, for more servants escape than succumb. Moreover, once engaged in prostitution, the woman does not passively wait to be sought out by ungratified spontaneous demand; in order to earn her own livelihood or to satisfy the cupidity of a third party, she proceeds to create or develop the demand for what she has to sell. Demand and supply thus interact upon each other in much the same fashion as characterizes the interplay of the market in reference to any other commodity. The application of this conception to the discussion of prostitution has therefore two obvious advantages: it brings out the dual nature of the phenomenon and it suggests the commercial side involved in the production and maintenance of prostitution on the grand scale.

At the present time, the demand on the part of the continental male European is practically universal; so true is this, that until quite recently questioned, it has been taken to be an ultimate and inevitable physiological fact. Male continence has not been required by either tradition or opinion. A low regard for women has practically left the matter one to be regulated by men on such standards as they themselves approve. Indulgence begins early. In a Vienna statistic covering 10,057 cases of venereal infection, over one-half were minors, and 67% under 25 years of age. Prof. Finger, Chief of the great Vienna clinic, concludes that these figures are actually representative,—that perhaps one-half of all venereal disease belongs to the youth of both sexes.

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Welander found that of 582 Swedish men, 464 admitted intercourse before the end of the 18th year. "In the country and in the urban proletariat, no one dreams of continence beyond adolescence," says Blaschko. Of 90 physicians interrogated by Prof. Neisser respecting their sexual history, only one denied all intercourse prior to marriage and he attributed his exemption to an early engagement alone; twenty-eight, i.e., 32.9%, had indulged themselves while still in the secondary school. Beginning thus early after puberty, sexual intercourse on the male's part ranges more or less widely prior to marriage and is none too severely constrained by custom even afterwards. Its practical universality, with the rare exceptions explicable on religious or ethical grounds, is substantiated by the wide prevalence of venereal complaints. "Roughly speaking," remarked a distinguished specialist, "one may say that most German men have had gonorrhœa, and about one in five syphilis."

No wonder that where practice is so general, theory has accommodated itself so far as to assume that sexual intercourse on the male's part is necessary and wholesome. The practically universal demand was for centuries regarded fatalistically as inevitable and incontestable; in the Middle Ages, a sufficient supply of women was imported by way of entertaining the delegates to church congresses. A change of attitude and opinion is, however, undoubtedly taking place. The universality of demand has been con-

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done on the assumption that it represented an irresistible physiological impulse. In the first place, however strong the spontaneous sex-impulse may be, it is like any other impulse—capable of restraint through the cultivation of inhibitions. Women, in European opinion, have been regarded as inferior creatures and have contentedly accepted the status assigned to them. They have therefore failed to resent masculine immorality; the self-restraint that might thereby have been imposed on men—be it much or little—has been generally lacking. Europe has been a man's world,—managed by men and largely for men,—for cynical men, at that,—men inured to the sight of human inequalities, callous as to the value of lower-class life, and distinctly lacking in respect for womanhood, especially that of the working-classes. The military, the aristocracy, the student, are all conceded their fling.

Not only has there been—up to recently, at least—no social inhibition: there has been a strong social compulsion. Men swim with the current; they fall in with accepted habits and customs, in order to escape being ridiculous. Certain forms of venereal experience have been popularly treated as marks of maturity. Dr. Magnus Möller tells of a club of military officers existing in Stockholm in the early nineties to which no one was eligible until he could prove that he had had syphilis. Quite as flagrantly, boys have been practically coerced into sowing wild oats. Women, whose influence might have been exerted

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restrainingly, have been trained not to pry into the pre-matrimonial records of their husbands. Indulgence brought about in this way cannot fairly be characterized or excused as physiological, even though once experienced, it soon gathers intensity enough to operate on its own account.

Finally, we may not overlook the part played by deliberate excitation on the part of the woman or those in whose interests she works. For prostitution is an industry, deliberately cultivated by third parties for their own profit: and the instinct readily lends itself to artificial exploitation. A very large constituent in what has been called the irresistible demand of natural instinct is nothing but suggestion and stimulation associated with alcohol, late hours, and sensuous amusements. Street-walking, with the pimp across the way ready to ply the lash; the Animierkneipe, in which the earnings of the prostitute barmaid are wholly dependent upon the extent to which she overmasters her guest through liquor and otherwise; the bordell, in which heavy charges and her small proportional share force her to find an extensive trade,—these are the most obvious examples of supply deliberately and resourcefully engaged in creating demand. Amid conditions as they exist in Paris, Berlin, and Vienna, and the smaller towns like Geneva, an artificial supply of prostitutes is deliberately created; forced upon the market under appropriate conditions, an artificial demand is worked up to consume it. Every tolerated focus, through the

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existence of which third parties benefit, thus soon becomes a vested interest, actively engaged in whipping up demand and supply, reacting upon each other. A striking example of deliberate business organization along these lines is to be found in Paris where, closely adjoining one another in the rue Pigal are found a dance hall, a café and an assignation house said to form a plant under one management.

The sex impulse, however formidable it may be, is thus on close investigation discovered to be not the single powerful physiological force which it has been represented to be, resistlessly pushing towards an instinctive object, but rather a combination of forces of very different quality as respects both origin and intensity. Taking prostitution and resort to prostitution as they exist in any great city to-day, three distinct factors are readily distinguished: sex impulse, pure and simple; social instigation or compulsion; sheer artificial excitation. Not improbably, instinct plays a decidedly less important part than is commonly supposed; much of what has been viewed as physiological is undoubtedly social. Nor is native impulse itself any longer regarded as a constant or spasmodically irresistible force; it can be checked, diverted, modified, or stimulated. It becomes stronger with indulgence; weaker through continued repression.

One must not, of course, overlook the fact that demand does not simply take the form of the male seeking or being induced to seek the female. The

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seeker is sometimes the woman herself, bent upon her own gratification. It is impossible to say with what frequency male irregularity is thus provoked. Of Meirowsky's 102 first offenders, 29.4% attributed their lapse to the seductive influence of comrades, part of whom were girls; of 28 physicians whose first offence occurred while still at school, over one-half blamed themselves wholly; three of them threw the initial blame on the girls, all of whom were servants. But the overwhelming majority of women involved in provocation are open or concealed prostitutes.

The fact just stated throws an interesting light on the possibility of reducing immorality through the cultivation of social inhibitions. We learned in the preceding chapter that under the natural conditions that obtain in the country and in certain sections of the urban working-classes, girls are sometimes equally responsible partners in sexual irregularity. We may assume, therefore, that not infrequently the woman indulges her passion precisely as the man indulges his. But the moment that improved social or economic position brings her under the range of more exacting ideals, she checks herself. It is perhaps true that self-restraint is actually easier for women than for men; but it is at any rate not achieved without effort. It is therefore not without significance that the social sanction, as yet but slightly operative among men, is among women of the higher classes very generally powerful enough to reverse the animal engine.

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The analysis of demand as above outlined has already borne consequences both theoretical and practical. In the first place, it has accomplished a striking change in medical opinion as to the necessity of sexual intercourse and the supposedly unfavourable results of continence. Recent medical literature abounds in strong and authoritative expressions utterly at variance with the traditional position. Continence is, in general, increasingly regarded as both feasible and wholesome. "I am convinced that the overwhelming majority of persons are not in the least injured by continuous continence whether during youth or afterwards," writes Moll. He insists that, even in cases where neurotic disturbances occur, these are not comparable to the damage, corporal and moral, which attend irregular intercourse—and of course it always remains to be proven that the disturbances in question really result from abstinence. "There is not a shadow of proof to show that continence is damaging to health," says M. von Gruber, "to the continent, continence becomes progressively easier." Exceedingly cogent is Touton's curt summary: "In short, all the talk about manifestations due to abstinence is thus far with few exceptions a hodge-podge of superficial observations and uncritical interpretations." Again: "Altogether healthy men, sexually normal, can, without danger of illness, for the most part get along far into maturity without sexual intercourse, especially so, if they resort to moderate exercises and adequate men-

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tal employment. The idler cannot remain continent."

There is no livelier topic under discussion in connection with prostitution than that of the methods to be pursued in order to minimize demand, in accordance with the modern scientific view that irregular sexual intercourse is a reducible evil. Instruction, with special reference to sex-physiology, has therefore been widely and confidently urged as the means of acquainting childhood and, later, youth, with the essential facts of sex-physiology, so as to deprive the facts of morbid interest and to warn the child of the dangers attending uncleanness. It will be worth while to give a brief account of what has taken place in this direction in Europe and to consider what benefit is likely to be derived from this source.

No recognition is given to sex-instruction in English schools at all. The head-masters and house-masters in some of the great public schools,—notably Eton,—endeavour, however, to gain the confidence of the boys individually, to put them on their guard and to assist them if in distress. A series of leaflets has been issued by the church schools for the guidance of parents, who are urged to open the subject with their sons at the proper time. In Prussia, which is representative of the States of the German Empire, sex-instruction of any kind is very rarely given at the popular schools; in the Gymnasien,—the nine-year secondary schools opening into the University,—a

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lecture on the subject may be given to the last year class by the School Director, a teacher or a physician. The lectures deal with the feasibility of continence, which is strongly urged, the dangers attending sexual irregularity or abnormality, and the misuse of alcohol; at times they are printed and circulated. During the school year 1911, such lectures were given at 76 Gymnasien out of a total of almost 800. Similar talks are given at institutions for the training of teachers. This represents the sum total of school instruction on the subject in Prussia; additional lectures, of an occasional character are provided for parents, artisans, etc., by local branches of the German Society for the Suppression of Venereal Disease. In Denmark and Norway, nothing either of a general or a compulsory character exists; Sweden practically repeats Prussia, offering no instruction in popular schools, an optional lecture to last year students in the higher secondary schools, particularly those for girls, in the discretion of the head-master or head-mistress. The educational officials of both Prussia and Sweden distinctly hold that under existing conditions the problem is one for the home, not the school. France is at the same stage of development. A memorandum on the subject has been submitted to the ministry of education, but no official action has been taken.

In view of the paucity of our experience, much of the literature on the subject strikes the observer as perhaps promising too much from mere diffusion of

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knowledge. It does not follow that fuller and clearer knowledge on the part of the growing boy and girl will itself effectively restrain; not only knowledge, but knowledge suffused with ethical emotion is requisite. By prematurely creating images and stimulating curiosity, both of which go further than the immediate communications on the topic, knowledge alone may either originate or increase the danger. Inhibition is unquestionably possible and it must be educationally brought about; but it involves not only a certain amount of intelligence on the child's part, but control of impulse through loyalty—instinctive or deliberate—to precept and example.

The importance of emotional and ethical training suggests the importance of the home in this connection. Foreign opinion is well-nigh unanimous in recommending that parents initiate the subject at the psychological moment,—a moment that is rarely the same for two individuals; subsequently the school can make its contribution, though there is as yet no agreement as to the form or the time. Some urge that it be the natural outgrowth of general biological instruction; some favour class teaching, others individual instruction; an occasional writer contends that, while boys should be urged to continence, they should also be taught the use of preventives since it is well known in advance that they will not obey!

The practical difficulties are, however, very great. The researches of Moll and others indicate that sexual instinct and curiosity awaken at different stages

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in different children ; something depends on the constitution of the individual child, something on the environment. Moreover, the parents of the children most dangerously exposed are very often those who are most incapable of managing the situation. A little later, when the school might intervene, the difficulty due to individual differences has not disappeared and additional problems have also arisen. Class instruction disregards individual variations and requires the greatest tact and skill in presentation ; the teachers are as yet incompetent ; physicians lay as a rule too much stress on disease and on mere knowledge, and are as a rule clumsy and ineffective or sceptical respecting the ethical side, without which such understanding of the subject as may be brought about is apt to be of slight value. The danger that lurks in tabooing or avoiding the subject has been clearly demonstrated ; but there is danger, too, in breaking down reserve.

Still later, when boys are about to leave the Gymnasium—and therewith their homes—in order to enter upon the freedom of University life in strange towns, candid talks to whole classes, laying particular stress upon the penalties attached to immorality, can be indeed given, as from time to time they are. But, unless effective training on higher lines has begun long before, the good to be achieved is of dubious extent : witness the prevalence of venereal disease among last year Gymnasium and first year Univer-

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sity students, and the rapid, even if passing, demoralization characteristic of the latter.

The educational situation in reference to sex hygiene may then be concisely put as follows: little progress has been anywhere made in actual instruction; decided benefit is to be hoped for only where increase of knowledge is accompanied by increase of self-control—by loyalty, conscious and unconscious, to higher ideals of personal behaviour.

I have mentioned above the factors and influences that tend artificially to develop demand. Whatever makes prostitution prominent, easy, attractive, seductive, unquestionably operates to increase demand. By the same token, measures that deprive prostitution of prominence, facility, attractiveness, seductiveness, reduce demand, or,—what amounts to the same thing—hinder its artificial increase. In the modern city, many conditions make, some purposely, some incidentally, for the stimulus of sex appetite: glitter, luxury, the mad rush for amusement, the stage, the café, the tavern,—all assist in the early maturity of the sex function, the exercise of which they also facilitate.

A by no means negligible factor in stimulating appetite are erotic books, prints, etc. Obscene objects of this character are frequently circulated in secret in schools,—girls' as well as boys'; occasionally they are even advertised under more or less deceptive titles. In recent years an international agreement has been arrived at, according to the terms of

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which the police departments of the nations who are parties thereto co-operate in ferreting out publishers and importers of immoral publications and in endeavouring to bring them to justice. In France, Germany, Austria and elsewhere popular societies have been formed for the purpose of making war on pornography. The kinematograph is the most recent invention open to abuse in this direction ; to forestall which, inspection of films has already been introduced at police headquarters in Berlin. Many congresses, national and international, held in recent years, are evidence of a growing determination to stop the artificial and premature excitation of sex demand through immoral books, pictures, plays and other representations. For even where laws exist, their enforcement depends on the vigour and sympathy of police officials and magistrates, who, in the interpretation of the statute, in some measure take their cue from the newspapers and popular opinion. In a recent London case, a Bow Street Magistrate convicted a bookseller for disposing of a book, of which, in imposing punishment, he stated that nothing "more foul or filthy" had been found in London in a long time. Subsequently another case, involving the same book, was brought into court ; and in the latter instance, the culprit was acquitted. Curiously enough, the most decisive action on the part of the authorities is feasible only in countries where the liberty of the press is most firmly established : for only in countries thoroughly free in spirit

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will the public deliberately impose limitations on itself without fear that such restrictions may ultimately be abused to serve other ends than those originally intended.

Though no quantitative evidence of improving morality can be given, the various movements above touched on supply proof that opinion is undergoing a change which must in the end affect conduct. I was indeed assured that a change is already perceptible to those whose knowledge spans a sufficiently great period of time. The woman's movement will unquestionably destroy the passivity of German women in respect to masculine irregularities. The task of developing continence in nations habituated to indulgence is one of inexpressible difficulty ; but it may be fairly said that now for the first time it has been deliberately faced on the Continent by a small, but earnest, band of men and women bent upon the purification of the sexual life.

CHAPTER III

THE SUPPLY

Relation of demand and supply.—Demand increased by forcing supply.—Supply derived mainly from lower working classes.—Occupations of parents.—Occupations of women themselves.—Is the prostitute a born degenerate?—Importance of the milieu.—Effect of loosening home ties.—Broken homes.—Demoralization of minors.—Unmarried mothers.—Influence of bad example.—Economic pressure.—Low and irregular wages.—Perilous employments.—Volume of supply.—Forced supply.—White slavery.—Employment agencies.—The pimp, bars, variety theatres, etc.—Rescue and preventive work.—Supply capable of modification through laws and social conditions.

THE supply, which after a fashion responds to the demand just described, must be considered from three distinct points of view: its sources, its volume, its reaction on demand itself. On the face of it, the general relation of demand and supply appears simple and mechanical: a demand exists; somehow, thereupon, a supply springs up to meet it. Unquestionably, as the situation now stands, prostitution to a certain extent illustrates this purely mechanical conception. There is a demand of such strength and upon such terms that a supply is forthcoming: in so far as this particular demand is concerned, outright efforts simply to deny its satisfaction would for the most part lead to higher bidding or to circuitous methods of gratification. There is also a supply on

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hand, which will employ a high degree of ingenuity to bring itself into relation with actual or potential demand. The modern merchant, in whatever commodity he may deal, is a practical, if not a trained, psychologist. He knows that appetite not only exists, but may be both created and developed : that, in the absence of strong restraint, supply can be worked up to almost any extent; and that there is no more efficient way to manufacture and to develop demand than to crowd supply in an attractive form upon the possible buyer's attention. The volume of the business is, moreover, not only a question of the number of women engaged in it, but of the intensity with which the vocation is plied. A thousand women may consort with a thousand men in the course of a night; or, conditions favouring, they may entertain five or ten times that number. The definition adopted in the preceding chapter looked ahead to precisely this fact,—a fact that will become increasingly important as we proceed. For prostitution represents not only the periodic coming together of demand and supply ; it represents also the exploitation of artificial instigated appetite and over-worked supply.

The most striking fact in connection with the source of supply is its practically total derivation from the lower working-classes, and mainly the unmarried women of those classes. The victims come in a highly preponderant ratio from this definitely circumscribed milieu. Half a century ago, Parent-Duchatelet, studying their social origins, found that

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Parisian prostitutes are recruited well nigh exclusively from artisan families. These conditions still obtain. Of 11,413 women prisoners incarcerated during several years in Milbank prison, London, mentioned by G. P. Merrick, 10,646 were the daughters of working-men, or the equivalent; 544, of small shopkeepers; 128, of professional men; 82, of small officials; 13, of gentlemen. Of 565 Stuttgart women, the fathers were, in 172 instances, artisans; in 84 instances, day labourers; in 60 instances, peasants; in 31 instances, small shopkeepers. Skilled occupations were barely represented. Two thousand one hundred and three women appeared on the inscription lists of the Stockholm police between 1885 and 1904: in 179 cases, the fathers were small landowners and lease-holders; in 42 cases, merchants; in 14 cases, national or municipal officials: the rest were gardeners, peasants, fishermen, mechanics, publicans, unskilled labourers, etc.

The occupations of the women themselves suggest the same conclusions. They are the unskilled daughters of the unskilled classes. Out of 1,327 street-women of Geneva examined between 1907 and 1911, 503 had been servants; 236, tailoresses and laundresses; 120, factory workers; of 173 registered Munich prostitutes (1911), 52 had been barmaids; 29, domestic servants; 29, factory workers; 15, seamstresses; 8 had no particular employment. Of 2,574 clandestines in the same city, 721 had been servants; 608, barmaids; 255, factory hands; 60, stage-dancers

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or singers; 170, without definite calling. Of 1,200 women enrolled in Berlin 1909-10, 431 had been servants; 445, factory operatives; 479, seamstresses and laundresses; 145 were without vocation. One thousand five hundred women who were sent to the hospital on account of venereal disease show the same vocations. Of 2,275 inscribed Viennese women, 44.52% were servants; 20.55%, factory workers; 16% without calling. Of 427 admitted to a London Reformatory, 275 were servants, 25, laundry workers; 20, factory hands; 11, dressmakers; 6, barmaids; 33, without a vocation. Another London list of 168 girls shows 2 described as "typist and clerk,"—all the others engaged in unskilled domestic, industrial, or mercantile labour. In the Stockholm cases, the facts are identical: 996 were servants; 395, unskilled workers; 266, sewing-girls; 57 were shop girls; 6 connected with the stage. Almost 7,000 Paris women, inscribed between 1878 and 1887 illustrate the same principle.

Merrick's data as to the educational opportunities enjoyed are also generally sustained: less than one-tenth of his cases had had anything beyond the most rudimentary training; the German prostitutes show at the most only the compulsory "Volksschule" education. Very few indeed have acquired in any direction a substantial degree of skill. They belong to the intellectual as well as to the social proletariat. And this is just as true of the elaborately dressed denizens of the Palais de Dance as of the unpre-

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tending street-walker of Potsdamer Platz: they are, generally speaking, all of the same origin and the same capacity.

The foregoing statistics are obviously, however, not fully representative, derived as they are mainly from the records of the hospital, the police, the prison, and the rescue home. Professionals of low grade and failures are perhaps too largely included,—the women of the street and the brothel; the dull drudges, who are most likely to fall into the hands of the law. The vocational designations are also in one respect somewhat deceptive: the women involved not infrequently describe themselves in terms not of an habitual vocation or of a position held at the moment, but of perhaps their last occupation, or some occupation capriciously selected from the various jobs on which they have been more or less transiently employed. The returns are therefore not precisely accurate; yet from the standpoint of our interest in them they do more than justice to the quality of the women, for to the extent of implying preference or capacity for one kind of work rather than indicating aimless shifting from one to another and then again to nothing, the impression created is more favourable than the facts warrant. One finds here and there a stenographer, an elementary teacher, a former actress, but in most of these cases, the woman is, socially speaking, of inferior origin and intellectually not more prepossessing than others of her type. Very rarely indeed a person of some education, social

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standing, and personal charm is met with. A Parisian woman to whom this description is fairly applicable was asked as to the possibility of finding others like herself. "I am one in a million," she proudly—and truthfully—answered.

The particular features of the milieu that involve peril I shall discuss in a moment. Meanwhile, the fact that prostitution recruits itself from a single social class is itself fatal to the contention that the prostitute is necessarily a born degenerate; for if prostitution involved born degeneracy, and if, vice versa, congenital degeneracy made straight for prostitution, a single milieu would not furnish practically the total supply. Characteristic traits, external and internal, mark the scarlet woman; she has a distinct gait, smile, leer; she is lazy, unveracious, pleasure-loving, easily led, fond of liquor, heedless of the future, and usually devoid of moral sense. Defect undoubtedly accounts for certain cases, and especially so where a psychopathic family strain is continuously implicated. Of 21 girls recently admitted into a newly established observation home in Berlin, 5 were reported as mentally below par; of Mrs. Booth's 150 cases discussed below*, 12% were feeble-minded. In the case of prostitutes committed under the British Inebriate Acts, the percentage naturally runs much higher: in 1909, out of 219 such immoral women, only 70 are described as of "good" mental state; 118 were "defective"; 23, "very defective"; 8,

* See page 65.

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"insane"; i.e., almost 70% were below normal. Bonhöffer, studying 190 prostitutes incarcerated in prison at Breslau, found that one hundred came from alcoholic families and that two-thirds of them were mentally defective—hysterical, epileptic or feeble-minded; his judgment is adverse to the existence of the "born prostitute," but in favour of congenital defect as providing soil favourable to immorality. One hundred and fifty-five Berlin cases between 12 and 21 years of age, yield an equally striking result; 30% are reported as "intact," 23%, as feeble; 43%, as psychopathic; 66% are therefore abnormal. Premature development on the sex side is also frequently encountered. In these instances there was presumably a lack of self-control, but not necessarily always a lack of the very possibility of acquiring it, such as the degeneration argument requires. How far these statistics are reliable, representative, or significant, it is impossible to determine. Expert scientific study of large numbers of women from each of the different strata of prostitution, without as well as within prisons, reformatories, hospitals and refuges is needed in order to clear up the question. The women involved have, as we have learned, undeveloped intelligence to begin with; riotous sex-indulgence, the loss of shame, alcohol, irregular hours, disease, combine to bring about speedy and far-reaching demoralization. Moral idiocy, covetousness, aversion to work, vanity, inclination to steal, libidinousness, may be acquired as well as

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native traits ; they may be qualities exaggerated, even if not altogether bred in the course of the career. "The personality of the prostitute," Bloch contends, "is the result rather than the reason of her occupation." Undoubtedly personal or anthropological factors are usually involved : for if it were a question of milieu alone, all affected by it would succumb. But the exact extent to which the anthropological factor is congenital defect or only imperfect education and protection remains as yet to be settled.

However this may turn out, the peril of the milieu remains. It increases in geometric ratio with the feebleness of the girl, to whatever cause that feebleness be due. Let us ask, not why some women fall, but why others go straight. A certain number, undoubtedly, because of sheer character ; these are the women who lead righteous lives under all circumstances whatsoever. A proportion, one has no way of knowing how large, keep straight for the mere lack of sufficient temptation to do otherwise : "The happy accident of the absence of opportunity has helped to the rescue of many eminent virgins at critical moments," George Meredith caustically remarks. But a still larger number, attribute to positive character what is really due to the unnoticed pressure of clan opinion, and the imperceptible barriers by which they are completely surrounded. The certain disapproval of family and friends, the sure ostracism that attends a serious departure from the accepted code of behaviour consciously or unconsciously act as powerful de-

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terrents. The superiority in such instances is trained, not inherent; and not so much narrowly educational as widely social. The whole organization of certain strata of society supports those who pass their lives securely within it.

In many cases the girls who fall differ from those who go straight in lacking precisely these supports; they are born in a stratum in which no strong supporting bulwark of opinion and habit has been developed; or the bulwark, such as it is, has been in one way or another broken down. The strong characters—and they are immensely more abundant than is usually supposed—do without it; the weaker too often succumb.¹ Even so, their collapse is rarely sudden. The buyer dealing with the seasoned prostitute may go straight to his object; his purpose must be veiled in negotiations with the beginner, who is led on by pretty clothes, amusements, wine and glitter. Low as the barrier may be, the prostitute has rarely once and for all deliberately stepped across it. Her demoralization is a progressive, not a summary, process. With her, the sex instinct is, for reasons already given, less apt to be valued at its real worth, or to be properly safeguarded by deference to exacting opinion; less apt, too, to be reduced in comparative urgency by the volume and abundance of other satisfactions. The girl has, however, no notion in the first place of becoming a prostitute.

From the above discussion, it appears that, as far as we now know, it may be not so much individuals

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as environments, that are superior. How completely the untrained daughters of the proletariat lack the positive protections and support by means of which better-conditioned girls are, even in default of their own strength, held upright, a somewhat closer study of the facts will soon show.

There is, in the first place, no quicker way of evading the immaterial forces that assist in maintaining an approved line of conduct than abrupt transplantation of an immature person into an environment within which no such forces operate on the individual in question. Accordingly, a heavy percentage of urban prostitutes are girls who have left home: of 168 girls in a London rescue home, 85 were born abroad. "The servants in Manchester," I was told, "come almost invariably from remote counties; they have been familiar at home with the men, with whom they walk out." In a strange city, without work, or with hard work, they obtain through the too lightly prized sex-function, at least for the moment, what their lot otherwise lacks. Out of 12,707 women inscribed in Paris, two-thirds were born outside the department of the Seine. Of 1,376 inscribed prostitutes of Stockholm (1890-1904), only 21.1% were natives of that city. Many of the prostitutes of Vienna were born in the poor districts of Galicia and Poland.

The home barrier is itself often so low as to constitute little or no obstacle to demoralization,—often, indeed, demoralization is of domestic origin. Sidney and Beatrice Webb, dealing with London destitution,

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describe a situation existing in all crowded European cities : " Any person who has dwelt among the denizens of the slums, cannot fail to have brought home to him the existence of a stratum of society of no inconsiderable magnitude in which children part with their innocence long before puberty, in which personal chastity is virtually unknown, and in which ' to have a baby by your father ' is laughed at as a comic mishap." In a close in High Street, Edinburgh, I visited with the city physician a family consisting of father, mother, grandmother, daughter of 13, and two younger children, all of whom slept in a single bed. Professor Blaschko declares that " what Robert Koch once said of tuberculosis, viz., that it is a question of living conditions, holds equally of prostitution." Of the inhabitants in Berlin in 1900, 73.7% lived in dwellings of two rooms or less ; 785,000 lived in single rooms ; 561,000 in two rooms ; 5,450 in one unheated room ; 7,759 in a kitchen. Not infrequently, necessity drives the mother herself to become a wage-earner. Something above 2,000,000 German women are engaged in factories, one-third of whom are married, widowed or divorced. Unfortunately, too, the tide is rising : the married women workers of Bavaria increased absolutely in number 72% from 1895 to 1907 ; throughout Germany a similar rise is taking place. As this increase involves especially women between 30 and 50 years of age, it is clear that they are driven into factories in order

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to support children whose welfare requires that the mother should stay at home.

The inordinately large contingent of servants is partially accounted for on these lines; for the servant has given up her own home and does not always make for herself another in the house she serves. She has come from the landless country proletariat, where sexual intercourse is either customary or not forbidden; in the city, exposure and weak resistance make her a frequent victim. Servants between 16 and 30 years old form one-fourth of the female population of Berlin; they bear one-third of the illegitimate children of the population. In Paris, of 6,842 clandestine prostitutes arrested and found ill within the decade 1878-1887, 2,681—i.e., 39.18%—were domestics. Two hundred and eighty-four of Lindblad's 800 Stockholm patients were servants, 80 more were attendants on little children, 170 charwomen.

If the urban home often leaves its girls defenceless or demoralized, the daughters of the rural proletariat fare even worse. I recall a characteristic instance of a girl of 27, one of fourteen children belonging to a peasant family, eleven of whom had died in infancy. She herself had had no rearing whatsoever. Drifting from pillar to post, she had come to Munich, where at 17 she had a child; since then, five others, of whom one survives, maintained by her on her illicit earnings.

It is early demoralization that is most dangerous, and it is precisely to early demoralization that the bad

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or broken home most surely leads. Without domestic protection, the girl seeks her amusement on the streets and wittingly or unwittingly is led to her fall. Between 1880 and 1903 the average number of minors annually arrested for prostitution by the Paris police was 1,370,—the total, 32,885. Nine hundred and seventy-five minors were arrested there for this offence—1,638 times in 1908,—91 of them under 16. In general it has been estimated that one-half of the minors arrested have not yet finished their seventeenth year. The Viennese authorities declare that “clandestine prostitution in its varied forms is made up for the most part of youthful persons. Clandestine prostitutes, especially in so far as they are incidentally engaged as waitresses in ‘Animierkneipen’ and restaurants, singers and dancers, are usually young, since, among other reasons, youth is a condition *sine qua non* of employment.” In the year 1910, of 1,319 arrests, 823 were minors whose utter isolation is proved by the fact that efforts to preserve some sort of family guardianship failed in 802 instances. German authorities hold in general that the danger period lies between the 12th and the 21st year: “only a small percentage go wrong after the 21st year.” Among 846 newly inscribed prostitutes in Berlin in 1898, 229 were minors, despite a settled policy in favour of registering adults only. There is perhaps no better proof of the extent of demoralization during girlhood: seven of these were mere children,—15 years old; 21 were 16 years old; and 33,

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seventeen years of age. Nor are conditions any better in smaller towns. Through some English Rescue Homes, 745 children between eight and fifteen years of age passed in the course of three years. Of 92 girls admitted to one London Rescue Home, 50 were less than twenty-one years old. Of 1,882 prostitutes arrested on the streets of Glasgow for drunkenness or soliciting, seven were between fourteen and sixteen; and 314 between sixteen and twenty-one. Of this type are usually the white-slave cases,—young girls for the most part enticed from poor rural or urban homes by the promise of employment or marriage in a great city; as also instances not altogether unknown in which mothers sell their own children.

Exposure sometimes originates otherwise. Sometimes the seduced servant or shop girl, or the pregnant country lass, may lose position or caste, and, besides, find herself responsible for the maintenance of herself and her child, law and custom bearing all too lightly on her partner. Eighty-three out of the 168 London cases already discussed were of this type. In Berlin, 1,531 girls were newly inscribed in the years 1908-9-10; of these, 636—i.e., over 41%, had borne children. Mrs. Bramwell Booth furnished me a detailed study of 150 cases, out of which 11% were believed to be attributable to pregnancy following seduction. Lindblad found that 62 of 800 women— $7\frac{3}{4}\%$ —insisted that they had become prostitutes in order to support children. Children born under such conditions represent at times the most aggravated

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form of the broken home, and not a few of the girls afterwards take to irregular lives: nevertheless, by no means universally. For, as Adele Schreiber has forcibly pointed out, illegitimacy is a complicated phenomenon, by no means universally involving recklessness and irresponsibility. The pre-marital intercourse of European boy and girl may result in an illegitimate birth which is either preliminary to marriage or is regarded as equivalent thereto. This fact enables us to understand why the researches of Johansson in Stockholm and Pinkus in Berlin appear to indicate that illegitimate children contribute somewhat less than their expected quota to the recruiting of the prostitute army.

One more consideration ought to be separately mentioned, because it is mainly and most fatally operative in the milieu with which we are dealing,—the influence of evil example. From vicious suggestion practically no child is free; but the children to whom our attention has been directed may be so loosely anchored that they are easily carried away. The ruined girl, glancing back over the path she has come, overlooks the fundamental facts of environment and disposition and sees only the older comrade or chance acquaintance, whose easy attainment of fun, clothes, trinkets, she envies. Of the 800 Stockholm cases to which I have already referred, 71% attributed their final decision to advice from tainted sources; 217, from professional prostitutes;

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215, from clandestines; 81, from immoral girls; 4, from their own mothers.

I need hardly call attention to what the reader will already have observed, viz., that I have frequently cited the same statistics in different connections: for the same girl may appear as servant, as ignorant, as illegitimate, as badly advised. No one circumstance can be regarded as alone fatal; the complicated skein of influences and associations cannot be completely disentangled. The facts that have been adduced,—broken homes, bad homes, exposure,—do not then act directly as causes, in the sense that the girls involved take to prostitution “as the sparks fly upward.” Of several sisters, all placed in precisely the same situation, only one may succumb. The environment is, however, not thus freed of responsibility,—it is merely freed of direct, simple or sole responsibility. It does not cause prostitution; but the huge proletariat is the reservoir from which victims can be readily drawn. Bad fathers, loose mothers, alcoholism, poor associations, physical defect, occur sporadically in every social stratum; but all together combined with defective education, low economic capacity, absence of oversight and restraint, rampant desires and meagre satisfactions occur only in the proletariat.

We are in position now to judge the part played by economic pressure. The preponderance of servants suggests the proper interpretation: for the servant does not lack food or shelter, and her services

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are everywhere in demand. Animated by a natural desire to excuse their conduct, as most human beings are, the direct pressure of need is rarely assigned by prostitutes in exculpation of their conduct. Mrs. Bramwell Booth, than whom there is no more competent or sympathetic authority, found among 150 successive and unusually varied cases only 2% who explained their prostitution by inability to earn a livelihood. Pinkus, studying the incomes of 1,550 Berlin women before embarking on the life, decides that 1,389 had earned enough for self-support. But it would be obviously unfair to say of these 1,389 women capable of earning a living that social-economic conditions had nothing to do with their fall; for precisely these conditions create a situation capable of being exploited. Undeveloped moral character, early and careless infringement of the sex function, drudgery, on the one hand, unsatisfied and uncontrolled cravings, on the other,—these are all largely social-economic in their origin and scope.

Prostitution is thus of economic origin and significance in so far as the region of economic pressure is mainly the region from which the prostitute comes. Whether or not the family lives in this region is primarily a question of the father's income. The region is, however, not statistically definable: a specified income may keep a given family or a given individual under dangerous pressure; the same income may release from pressure another family or another individual. Severest, of course, where actual poverty

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exists, all those whose needs, desires and protests beat vainly against the limits imposed by their resources, live within the area of economic pressure. But the mere fact of living within the area, whether in its darkest tract or elsewhere, is not of itself conclusive. For the prostitute is, in the last resort, to use a biological phrase, "individually selected" in the manner already sketched.

The menace of unfavourable economic conditions can be clearly discerned in certain directions. Prostitution fluctuates with seasonal and casual labour; in certain employments it is looked upon as a regular source of incidental income to women workers. As bearing on the part played by casual and seasonal labour, it is important to note that the proportion of their female help permanently employed by certain London shops often falls as low as 25% of their maximum help; it rarely rises above 75%: that is to say, something between one-quarter and three-quarters of the women employees of the London shops are casual hands. Charles Booth notes in addition to the "more regular members of this varied group of women, some who take to the life occasionally; tailoresses or dressmakers who return to their trade in busy times; girls from low neighbourhoods, who eke out a living in this way." "It is true," writes Wilbrandt of the irregularly employed girls in Germany, "that when out of work, many of them succeed from time to time in sewing more or less for private customers, or the lodging-house keepers give them credit, but

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for the majority this is no remedy. Where there is no serious obstacle, hardly one of this type, if isolated, but is given to occasional prostitution."

Practically in the same category are the workers whose wages suffice only if they live at home, in which case part of their support is borne by other members of the family; where—as so often happens with those who come to the city to earn a living,—this is impossible, occasional or incidental immorality is a perilous temptation. I was told, for example, that in certain English manufacturing towns, such as Bradford and Sheffield, a sliding-scale is accepted among some of the girl operatives; when wages rise above a certain point, a virtuous life is required by public opinion; when they fall below, the source of supplementary earnings is not scrutinized. The minimum wages of the sewing-women, factory hands, laundresses throughout Europe do not support the most meagre sort of decent independence. An official report states that out of 226 inscribed women at Frankfort-on-the-Main, 98 were laundresses and shop-help, earning from 1.50 marks to 1.80 marks a day,—less, that is, than 2 shillings.

There remain the employments in which only prostitutes engage or in which the perils are so enormous that a girl who has not fallen, soon will fall. The chorus, ballet, or cabaret girl can usually afford "the stage" because she is already immoral and the glamour of the footlights increases her earning capacity; the same conditions of course tend to force into im-

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morality a girl who has hitherto been honest. A monthly salary of 10 marks (10/-) is paid the dancers at the Court Theatre in Hanover; the leading lady at Eisenach draws 15 marks (15/-) a month for a six months' season; a prominent soubrette at Munich states that she received an annual salary of 3,600 marks, from which the outlay for wardrobe was 1,500 marks. If a decent girl objects to a salary of 20 marks a week (£1) on the ground that it will not supply her necessities—living, wardrobe, etc.—the Director retorts: “Why should you want any salary? You are a pretty girl.” The maelstrom thus tends powerfully to suck in those not previously tainted. The English barmaids and continental waitresses are not infrequently virtuous women, leading decent lives; but they are also often selected for the lively manners so certain to lead, if they have not already led, to extra remuneration, that only a nominal wage attaches to their posts. The 37,000 waitresses in Germany are paid a nominal wage—or less; one-fourth of them are under 20 years of age. It is not surprising to find a Berlin insurance fund reporting that waitresses make up one-half of those of its numbers venereally afflicted. In England and Wales, of 27,707 barmaids in the Census of 1901, 18,251 were under 25 years of age. Their wages range from 5 to 15 shillings a week. Mrs. Booth concludes that of the prostitutes in the West End of London, one-fourth were originally barmaids and a still higher estimate has been made.

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Nothing would be gained by going into the foregoing matters more thoroughly. Enough has been said to show why in the presence of the demand previously characterized, an ample supply is forthcoming, and why it is almost totally derived from a single social stratum. Sometimes demoralization has set in so early, or there has been so little development of intelligence or character, that the girl is herself from the start not only willing, but the main instigator; in other cases, with intelligence too undeveloped and character too unformed to urge her away from temptation, a vague but profound instinct holds her back until her dumb resistance has been overcome by other inducements or weakened by alcohol, pretended affection or interest. Despite this dark picture, however, most girls in the various stations described do resist like a stone wall.

So much for the source of supply; let us turn for a moment to its volume. Prostitution is an urban phenomenon; its volume increases even more rapidly than population. For as the demand seeks particularly younger women, the older tend to become a drug on the market. It is therefore inevitable that, while there is a comparative dearth of the youthful, the total supply should be in excess of the requirements. This situation, of course, favours the exploiter.

In the case of supply, as in the case of demand, two different problems present themselves. In so far as individual reasons alone lead a girl of mature

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years to prostitution or deliberately to persist in prostitution, preventive action is both practically and theoretically difficult; prostitution of this kind is a reply to demand or an invitation thereto, taken in its simplest, even if not purely physiological form. Very different is the situation as respects supply arbitrarily developed to satisfy a specialized or artificial appetite. The girls thus involved are forced into prostitution. Once violently ruined, however, they become part of the army requiring that the mass of immorality be increased so as to sustain them. Of this type are the white slave cases, and those led into ruin through employment agencies. How much of the present supply is of this forced character it is obviously impossible to say. Stead's revelations in the *Pall Mall Gazette* in 1885 and such incidents as the "Process Riehl" at Vienna disclosed the existence of a large and active trade in innocent girls of tender years.

In addition to indirect and slow-working processes—social and economic reform, education and sanitation,—the problem of prostitution has been directly and in some respects effectively grappled with. Of these efforts, the international movement for suppression of the White Slave Traffic is the most conspicuous. There is no question that not many years ago an extensive, though but loosely organized, traffic in girls was carried on in large European cities. The bordells were thus recruited with young and attractive inmates. The subject was first

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brought to public notice in 1877; but little attention was paid to it until the *Pall Mall Gazette* published a complete exposure in 1885. Shortly thereafter the British Vigilance Society was formed; similar organizations were then set up in other countries and in 1899 an international congress was held in London.

Successful prosecution is, however, as a rule, surrounded by many technicalities. In Germany the statute provides that any one who induces a female to leave the country for the purpose of prostitution by means of concealment of his object is liable to penal servitude for five years, to loss of citizenship and a fine of 150 to 6,000 marks. But as a rule the culprit, if arrested, has made an attempt only, and thus escapes the severe penalty here imposed. To avoid this pitfall, the congress of 1910 urged as a model provision the following: "Whoever procures a female for purposes of prostitution, abducts, carries off, or leads her into prostitution, even if the steps thereto occur in different countries, shall be punished, etc." Several countries have proceeded on this line. The most advanced legislation is, however, the recent amendment of the British Criminal Law by a provision empowering a police officer to arrest a procurer caught with a suspected victim without the delay involved in procuring a warrant.

This legislation indicates the form to which the White Slave Traffic has been largely reduced in Europe. Beyond question an innocent girl might be

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entrapped, enticed, and immured in a European brothel ; but if so, the instance would be an isolated crime, like a mysterious murder or robbery. In the cases to which from time to time attention has been sensationaly called, the women involved are neither innocent nor deceived. On the other hand, there is evidence to suggest that European cities and ports are utilized for purposes of transit to South American ports where the trade still flourishes. The countries from which women are procured are believed to be mainly Hungary, Galicia, Poland, and Roumania ; the countries to which they are carried, Brazil, Argentina, South Africa and the Levant. The pair steal through Vienna and Berlin and appear at the dock in Hamburg, Rotterdam, London, or some less prominent port just as the boat sails for Rio Janeiro, Buenos Aires or a South African harbour—too late to procure a warrant or detailed proof. The new English law above mentioned is calculated to deal with just this emergency : for it authorizes the detention and arrest of such couples without warrant, on suspicion, and throws the burden of proof upon them. The entire White Slave movement is thus forcible interference with the making of prostitutes.

The employment agency has been similarly employed as a means of forcibly increasing supply. Girls are sent out as servants into disreputable places, in the activities of which they have been induced or compelled to take part ; or, they are sent out of the country as dancers or singers, only to find them-

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selves, on reaching their destination, consigned to cabarets in which theatrical entertainment is but a cloak for the exploitation of prostitution. Of the numbers thus victimized no accurate statement can be given. But preventive measures are being taken. The London County Council has undertaken a strict regulation of the employment agency : establishments must be annually licensed, their records must be kept according to a specified form, inspectors are free to examine them at will. Agents are prohibited to arrange for the employment of females abroad unless the satisfactory nature of the employment has been clearly established ; nor even then shall an agent arrange for the employment abroad of a girl under sixteen unless with the written consent of her parents or lawful guardian. In Austria, the Employment Agency is regulated by the trade ordinance ; the establishment must be licensed, those conducting it must be sufficiently educated, and the business is subject to the inspection of the safety, health and morals police. Books must be kept according to a prescribed form ; girls under 18 years of age can in no case be sent out of the country except with the permission of the Court of Chancery ; the license can be cancelled by the government without notice.

The pimp is connected with the supply of prostitutes in two ways : he cultivates intimacies with the ultimate purpose of putting his victims or associates on the street ; he then drives them to the utmost, forcing them to ply their trade with all possible

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intensity. How formidable an element he becomes is evident from the fact that nowhere less than 50% and in most cities as many as 90% of the professional prostitutes are declared by the police to support their lovers. In Paris the proportion is given as 80% to 90%; in London at 90%. In form they vary; now appearing as base hangers-on, now as paramours, again as husbands. During September and October 1891, 350 arrests were made in Paris with only 14 convictions. In London, the numbers convicted have increased, though they are still almost negligible: in 1902, there were 132 arrests, with 105 convictions; in 1905, 123 arrests and 95 convictions; in 1909, 201 and 167 respectively; in 1910, 185 and 151. Glasgow shows 25 successful convictions for the same offence in 1911. In Vienna there were 30 convictions in 1912. Wulffen has carefully compiled the statistics showing the extent to which panders of all kinds have been prosecuted in Germany. Very striking are two points, viz.: that the number of convictions has risen, as public opinion has developed, and that the total represents even yet only a small fraction of the guilty. In the entire Empire, between 1883 and 1887, convictions were obtained in only 5.18% of the cases; in the period 1898-1902, this figure had risen to 7.37%, an increase of 50%. The statutes differ somewhat in principle and detail, but the difficulty arises partly from varying interest on the part of the authorities, partly—nay largely, from the inherent reluctance of the woman

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to testify. Perhaps this vilest on-hanger of prostitution is the most difficult to lay hold of.

Of the various forms which prostitution takes the bordell plays a peculiar part in creating an intensively working supply; but, for reasons that will appear, the bordell requires special treatment and will occupy a separate chapter. The Animierkneipe, the Variety Theatre, the café and other establishments largely derive their profit, direct or indirect, through affording an ever-increasing supply an abundant opportunity to work up a demand that will overtake it. Prostitution in these forms doubtless answers in part what I have loosely termed the physiological craving: that is to say, men bent on gratifying appetite sometimes betake themselves to the Animierkneipe, in the absence of which they would betake themselves elsewhere. Beyond all doubt, however, a fair, perhaps a very large, share of the immorality connected with these establishments is incited in them.

In London, license to sell liquor was formerly granted to music halls; no further licenses of this kind are granted, and one by one licenses formerly granted are being cancelled. Regular dance-halls where liquor is sold—as is the case everywhere on the Continent—do not exist in London, though special permits for dances in hotels and elsewhere where liquor is sold are obtainable. A determined effort has however been made in Great Britain to break up the close connection between prostitution and the sale

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of drink. The licensing act forbids an unaccompanied woman to remain in a café or public house longer than a reasonable time to consume her drink. In London, however, the law is less consistently enforced than in the provinces: certain notorious resorts in and about Leicester Square remind one of the continental café.

On the Continent, little has been done to hinder the exploitation of prostitution in connection with drinking, dancing and the theatre. In German cities, cafés and theatres fall under the regulations applicable to business establishments and, for practical purposes, are not molested as long as outer decency is preserved,—the term being as a rule rather broadly interpreted. Public dance-halls where liquor is freely dispensed abound everywhere. A Zurich law sought to improve conditions by forbidding waiters to work beyond midnight; but the law is evaded by engaging a second set to work in the early morning hours! Stockholm closes all public dance-halls, cafés, etc., at midnight. Meanwhile of the pernicious character of these places in wrecking innocent girls and facilitating the operations of prostitute and pimp, there is nowhere any question. “Legitimate trade is not large enough to keep them going,” remarked the head of the Zurich police. “The women make them pay by increasing the amount that each customer drinks. They thus win customers for themselves.”

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An increasingly active interference with the making and forcing of supply is represented by rescue and protective work. Religious and philanthropic societies maintain street workers who endeavour to reclaim fallen women, and homes in which those in distress are received and rehabilitated. These institutions are more highly developed in England than on the Continent; nevertheless attractive and wholesome retreats have been established in Paris, Berlin, Copenhagen and elsewhere.

There can be no difference of opinion at all as to the superior importance of prevention. Children immediately exposed to demoralization must be removed from danger and trained to some useful and profitable avocation. The French Government has recently provided for homes answering this purpose, but the machinery by means of which children are to be got into them is so clumsy that the legislation has proved ineffective. The recent Prussian "Fürsorge Gesetz" of 1901 (Law on Guardianship) is much more satisfactory. The procedure is applicable to children under 18, but guardianship continues until the age of 21. In less serious cases, children are placed in families under supervision; if the situation warrants, they are interned in institutions. In Prussia, about 6,000 children are yearly cared for on these lines, $\frac{1}{3}$ of them girls, of whom about 40% have already gone wrong. This law is a fair sample of modern effort on the part of the State to control the conditions under which imperilled children are

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reared. Energy expended at this stage attacks the problem of supply at its very source.

Our consideration of demand and supply has shown the complicated character of modern prostitution. It is important to remember that supply is to some extent artificially created and demand is to some extent artificially forced; whatever may be true of minimum supply and demand, the artificial processes are in greater or less degree socially controllable or modifiable. The abnormalities in question are at once the product and for thousands the attraction of metropolitan life. The fascination and the curse of the great city lie thus close together. With this local pride to be a great city through forcing the sensual pace, modern Europe is fairly mad. Berlin and Vienna are rich and gay. Smaller towns like Geneva, smitten with envy, struggle to imitate the license of those great capitals. In so far, prostitution is in the broadest sense a social problem,—the problem of rationalizing human life, and only indirectly to be grappled with.

Precisely therefore as there is nothing absolutely fixed, predetermined, and inevitable about the strength of demand, so there is nothing fatalistic about supply. In general, the two move together, one—either one—provoking the other. In the end, they have to be solved together; but within limits, effective action attacking one can itself ameliorate the other. Human nature is indeed weak enough on the sexual side; but the mass of existing vice is out of all

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proportion to what would exist on that account alone; and one way to abridge demand is to abridge supply. Moreover, whatever interferes with intensive exploitation virtually reduces supply. As forced supply increases demand, so diminished and hampered supply to some extent checks it.

CHAPTER IV

PROSTITUTION AND THE LAW

Apparent acquiescence of European communities.—Indications of scientific study and action.—Opinion more homogenous than laws.—Is prostitution in itself a vice or a crime?—Its exploitation a crime.

DESPITE the evidence to the contrary produced at the close of the preceding chapter, the notion is prevalent that the conscience of Europe has been and is, to put it euphemistically, philosophic in its attitude towards this ancient evil; that on the Continent at least the “oldest of professions” is simply acquiesced in, on the theory that “what cannot be cured must be endured.” Certain external appearances seem to give countenance to this view. The situation, however, is less simple than thus appears. Society has never, as a matter of fact, for any great length of time contentedly accepted prostitution as an unavoidable evil. Periods of harsh and unintelligent repression have alternated with periods of comparative but never complete indifference, consequent upon previous failure. Recently much intelligent effort has been directed to the comprehension of the evil and of the phenomena contributing to and contingent upon it. An era of scientific study may be fairly said to have set in.

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Wholesale and traditional methods of attack have been discredited and are being discarded. Frank discussion of the subject as a social problem is common on the Continent and is beginning to take place in Great Britain, where it was long tabooed.

While public opinion in regard to prostitution is thus fairly uniform, laws differ considerably ; but this is of less importance than might be supposed, because the general attitude of the authorities conforms to sentiment rather than to statute. Laws passed under strong but transient emotional excitement are simply not enforced, or are enforced so capriciously that they do not affect the situation. Similarly, laws are sometimes outlived rather than repealed. In France, as we shall see, a very definite policy is pursued, not because it is laid down in the law, but because it is in harmony with tradition and general sentiment ; in Germany public opinion not only sustains the authorities in ignoring certain laws, but actually compels them to ignore them ; in England, policy, law and opinion are more nearly in unison. It is important therefore to ascertain what the general substratum of foreign opinion is.

We must, in the first place, recur to a point already made. Prostitution is not a single and simple phenomenon. Certain distinctions must be made. In one case, prostitution may be the voluntary and unobtrusive act of two mature individuals presumably in full possession of their senses ; in the next, it may involve the exploitation under duress or

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otherwise of women for the benefit of third parties; in the next case, its salient feature may be offensive provocation by the woman for the purpose of inducing men to indulge in immorality. For the moment it is only the first of these varieties with which we deal. In reference to prostitution thus taken in its simplest form, the practical and fundamental question which confronts law-maker and administrator is this: Is the mere act of prostitution taken by and in itself, a vice or a crime?

In general the line between vice and crime cannot be clearly drawn, for the question is one for the publicist, not one of abstract ethics. Crimes are such acts as are reprobated by united opinion and as such punishable by the crude process of the law; vices are repugnant to the cultivated instincts of society. But whatever be the legal theory, public opinion in Europe to-day regards the prostitution of mature individuals in the first of the senses above characterized as in itself a vice, not a crime. We shall shortly hear that under certain conditions professional prostitution is penalized; but it will appear on closer examination that the penalty in so far as it is actually sustained by opinion and enforced by the courts or otherwise attaches not to prostitution in and for itself, and not to the prostitute as a person, but only to certain overt acts and to certain surrounding or attendant conditions. There is indeed a distinct tendency against the extension of the conception of criminality to the act itself.

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This can not be for the reason that prostitution is a less serious evil than was formerly supposed: on the contrary, never before have its disastrous consequences been so clearly and fully apprehended; nor because the law is indifferent as to the form which sex relationship takes, for it expressly declares in favour of the monogamous married state. An explanation must be sought in an entirely different direction.

I have previously pointed out the fact that prostitution is a conception necessarily involving two factors, both equally essential. If prostitution is a vice, both parties are vicious; if it be a crime, both parties are criminals. Now as a matter of history, no proposition aiming at punishment has ever involved both participants. The harlot has been branded as an outcast and flung to the wolves: she alone,—never the man, her equal partner in responsibility. And, indeed, not even the harlot uniformly. The poor and stupid have been the victims; the showy courtesan, pursuing roundabout methods, has never been molested. Something more than justice has thus been violated. For prostitution must be punished if at all, because its consequences are bad. Yet so long as the woman alone suffers, these consequences are not abated. In defining prostitution we recognized certain criteria as accounting for society's objection to its existence—the waste it involves, the disease it spreads, the demoralization it entails. Punishment of the woman in any particular

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case stops none of these. To make prostitution a crime for the woman alone is therefore at once inequitable and futile. It is likewise becoming progressively more difficult. As long as societies were organized on the theory of male superiority, the woman could perhaps be singled out to bear alone the burden of a dual offence. But that day is past. Theoretically, the equal ethical responsibility of both sexes in every relation in life is already recognized; it is rapidly becoming incorporated in law. The stigma and consequence of crime must therefore be either removed from the woman or affixed to the man.

As to the latter, certain difficulties interpose. The professional prostitute being a social outcast may be periodically punished without disturbing the usual course of society: no one misses her while she is serving out her turn—no one, at least, about whom society has any concern. The man, however, is something more than partner in an immoral act: he discharges important social and business relations. He cannot be imprisoned without deranging society. Is the offence of such a nature as to make this advisable or feasible?

Assuredly, as matters now stand, it is not feasible. It is not feasible for men; it is not really feasible for the women either; indeed in the case of many women, the same difficulty arises that I have just pointed out in the case of men. We have long since learned that the bulk of women engaged in prostitution are also more or less otherwise employed. They may be

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aiding to support their families, by their legitimate as well as by their illegitimate earnings. Are these women to be plucked from their employments under conditions not enforced against their male partners? No society in which prostitution is held to implicate two parties will tolerate it. Moreover, if the criminal charge is to lie against the professional prostitute alone, how is the line to be drawn? Finally, in view of the tendency of women to leave the life, is it wise to coerce them to cling to it by branding them as criminals? The attempt to view prostitution as in itself a crime is therefore inexpedient as well as unjust.

Other difficulties also arise to prevent the acceptance of the crime concept. Prostitution and commerce therewith are indeed deplorable, but whence, it is asked, does the State derive the right to interfere with the voluntary exercise of personal liberty by mature individuals, so long as no one else is disturbed thereby? We touch here the root of the European view of the matter. The English urge that personal liberty in this realm can be infringed only to prevent scandal,—that is, only when something beyond mere prostitution is involved. "A woman may become mistress or paramour," said a high police official to me, "she may indulge in occasional immorality as she pleases,—why not in prostitution? She is only using her personal freedom." Still more plain-spoken was a Dutch authority: "A grown girl may do what she likes with her own body." Laws

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aiming to punish fornication and adultery are therefore practically dead letters, not only because proof is difficult, but because it is commonly held to be no concern of the State, provided both parties to the acts are willing. They are vices, therefore, not crimes, as societies are now constituted. The unanimous enunciation of the French Extra-Parliamentary Commission expresses similar feeling with regard to prostitution: "The prostitution of women does not constitute a crime and does not fall under the application of the penal law." This dictum, be it noted, applies only to prostitution in so far as it involves only two adults without annoyance or profit to others. Nor is it to be understood as implying that society is either indifferent or helpless. Denied the use of the criminal arm it still possesses all the paraphernalia of education, hygiene, and social reform.

The foregoing interpretation of the present state of opinion is confirmed by the fact that, with the qualification to be shortly mentioned, prostitution is on the whole practically regarded in the same light by all European nations. The qualification in question has reference to controlled or inscribed prostitutes—who form a class apart, are indulged or punished on lines peculiar to themselves and for reasons, ostensible and actual, that will be fully discussed later.

In England, Italy, Norway, Holland, and Switzerland, there is no penal enactment against prostitution

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as such. "Immorality in itself is not an offence against the law," declares the Chief Constable of Glasgow in a memorandum to the Corporation. A woman therefore runs no risk of prosecution if quietly and inoffensively she receives men in her room or house for the purpose of paid sexual intercourse. In France the ancient laws against immorality were swept away by the Code Napoleon. Since then, an inoffensive prostitute has been absolutely free to ply her trade without danger of molestation by the police. We shall later learn that the police have indeed laid hands on several thousand prostitutes whom they require to comply with certain regulations; but we shall also see that this is but a negligible portion of the army engaged in prostitution, that there exist peculiar reasons for singling them out for attention, and that they are not thus distinguished merely because they are prostitutes.

A more complicated legal situation in Germany works out in much the same way. On its face the penal code punishes professional prostitution for money,—i.e., prostitution is itself a crime. The section reads: "Any woman shall be punished with imprisonment, who having been placed under police control on account of professional prostitution, violates regulations adopted by the police for the protection of health, order and decency, or any woman, who, not having been placed under such control, carries on prostitution for pay." A certain number of women have been placed under police

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control ; they are therefore liable to criminal prosecution as being professional prostitutes. It is, however, a notorious fact that prosecution simply on this score is not attempted. Practically, prostitution for money, called a crime by the law, is treated as a vice by the authorities. Women are indeed sentenced to prison terms in accordance with provisions quoted ; but on investigation it will be discovered that they are arrested not for prostitution, but for disorder, though they are nominally punished as prostitutes.

The statutory provisions respecting the prostitute's domicile are similarly interpreted. The law is very explicit : "Whoever habitually or for profit assists prostitution by countenancing or affording facilities for it, is to be punished with imprisonment for not less than one month, and is liable to fine, besides, of from 150 to 6,000 marks, and to loss of franchise. In case of mitigating circumstances, imprisonment can be reduced to one day." Under the terms of this statute, the keeper of a licensed bordell, the hotel proprietor who lets rooms for purposes of assignation, the landlord who knows that his lodger is a prostitute, are all guilty of crime. It has even been held that the words "for profit" do not mean that money must be received ; food, drink, sexual gratification may form the profit.

A small section of the German people would undoubtedly like to see the enforcement of these laws attempted ; but generally speaking, people realize that suppression on such lines is unfair and impos-

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sible and that the undertaking would be disastrous to the police. As a matter of fact, therefore, no steps are taken against the keepers of such bordells as are conducted on lines sanctioned by the police; inoffensively conducted *rendezvous* hotels are not molested; and women rent rooms freely wherever they please, without danger to themselves or their landlords, so long as all external proprieties are observed. Once more, the court calendars show more or less numerous prosecutions for "pandering," i.e., for infractions of the paragraphs in question. Between 1903 and 1907, the prosecutions averaged 343 annually in Cologne; in Frankfort, 373; in Stuttgart, 57. These figures tell the tale; landlords are punished if attention is drawn to them by scandal or otherwise; but the letter of the law, requiring wholesale eviction, is ignored, because—among other reasons—it is unsupported by public opinion. "According to the law, a prostitute is not entitled to have a domicile at all;—in practice they do anyway," writes Schmölder.

What has long been a dead letter, the newly projected criminal code proposes now frankly to omit. If the present draft is adopted the law will henceforth read: "Whoever habitually or for profit furnishes facilities for prostitution shall be punished with imprisonment. This provision is not to be applied to the renting of lodgings unless the landlord undertakes to get a higher price through permitting prostitution on the premises." The new paragraph thus seeks to free prostitution as such from prosecu-

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tion by enabling the prostitute to live wherever a landlord is willing to rent her a room on the same basis as anyone else. A subsequent paragraph still further frees the prostitute as such from punishment; it reads: "A person shall be punished by arrest or imprisonment, who is a professional prostitute, provided he or she violates the regulations set up for the protection of health, order and decency." That is, the penalties are attached not to the prostitute as such, but in so far as she oversteps limits imposed by the police for the maintenance of health and order. Thus the law will be squared with practice.

To the foregoing discussion, the theory and practice of other countries add very little. A general conviction that prostitution is an evil not to be tamely endured has led lawmakers from time to time to endeavour to stamp it out on penal lines; but invariably the considerations previously adduced have undermined the legislation in question. Thereupon much ingenuity has been expended in some places in the effort to gain another foothold. Granted,—say the lawmakers in Hungary and Denmark—that prostitution in itself cannot be treated as a crime; at any rate, the prostitute is a vagrant, in that she is without legitimate means of support. She can therefore be put to hard labour as a public menace, not because she is a prostitute, but because she is a parasite.

This indirect and disingenuous method of treating prostitution as a crime, is in the first place dishonest:

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a vagrant is homeless; the prostitute is a vagrant, therefore, only if she is without a domicile. Fairness requires, therefore, that only homeless prostitutes be taken up as vagrants and for that no special legislation is needed! The statute will obviously not be invoked against prostitutes generally. Moreover, in so far as the prostitute is in reality aimed at through the subterfuge of vagabondage, the man-accomplice once more escapes—an intolerable condition, as I have already shown. It remains then generally true that, despite all legislation and endeavour to the contrary, prostitution in its elemental form is regarded as a vice, not a crime.

The situation as respects public opinion alters decidedly, however, the moment the act involves others beside the two participants. As soon as order, decency, the contamination of minors, or the interest of an exploiter is involved, a totally different question arises. A man and a woman may be permitted unobtrusively to arrange and carry out a *rendezvous*. So far there appears to be no police method of dealing with them effectively and impartially. But when the streets are used to carry on negotiations and thereby others are drawn into the maelstrom; when third parties,—be they pimps, bordell keepers, venders of liquor and entertainment, or others,—endeavour to develop prostitution for their own profit; when disease is communicated, not infrequently to innocent persons: in all such cases a third party is concerned; and a public that was more or

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less indifferent as to what took place between two mature individuals has become increasingly clear as to its interest and duty. The measures which were explained in the preceding chapter are required and justified on this ground. The State prohibits the manufacture of prostitutes by heavily penalizing the white slave traffic; it attacks the pimp system on the score of its inhumanity and because it seeks to widen artificially the scope of the prostitute's operations; the bordell, the liquor shop, the low cabaret are in the same category.

The general European attitude may then be summed up as follows. The two participants in every immoral act are more and more coming to be viewed as of equal responsibility. Their conduct is as between themselves and themselves alone, vicious and not criminal. It becomes criminal the moment it becomes open, involving annoyance to others. In still higher degree does criminality attach to any third party who profits by promoting, stimulating, or countenancing the immorality of others.

The change of opinion from the crime concept to the vice concept of prostitution accompanies and denotes not less, but greater, public concern on the subject. For it betokens a critical and discriminating study of the problem,—a reduction of its vast total into constituent elements, each to be met by its own appropriate procedure. The societies whose laws indiscriminately denounced all immorality as crime

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are conspicuous for the futility of most of the steps which they took in dealing with it. Results have appeared coincidentally with discrimination. The scientific attitude has also introduced a mature and deliberate, though not of course facile, hopefulness. The situation as now characterized is, however, retarded and confused by legislation, police regulations and habits of thought that represent mere survivals from a standpoint now becoming obsolete. Most conspicuous among the traditional policies of the Continent is Regulation, to the examination of which the following chapters will be devoted.

CHAPTER V

REGULATION AND ORDER—THE STREETS

Regulation defined.—General description of the system.—Regulation in Berlin.—Compulsory and voluntary inscription.—The Sittenpolizei (Morals Police).—Variations from the Berlin system.—The Paris system.—Additional variations.—Lack of legal sanction.—Administrative punishment.—Liberality of regulation in Vienna.—Varying size of the morals police division.—No approved system of regulation.—All alike arbitrary in character.—Inscription lists relatively small.—General tendency downwards.—Objections to regulation from standpoint of rescue and preventive effort.—Objections to summary police process.—The inscription of minors.—So-called clandestine prostitution.—Omissions.—Disappearances.—External order in regulated cities.—Failure of regulation to affect conditions.—Regulation inconsistent with strict order on streets.—Arrests for infraction of rules.

I HAVE thus far endeavoured to convey some notion of the complexity and extent of modern prostitution and to point out the peculiar difficulties that attend an effort to deal with it on simple lines. I have described the measures now beginning to be taken to diminish demand, to abridge supply, and to interfere with efforts to exploit the existing supply. Prostitution is a phenomenon that must be dealt with by every municipal government. What are the methods employed in Europe and with what results?

Generally speaking, two opposite policies are employed: regulation and abolition. The former

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endeavours to handle prostitution by inducing it to submit to certain rules; it urges that as a matter of fact prostitution exists, is a social pest, and cannot be summarily wiped out; something will, however, be gained for decency, health, and order, if the phenomenon can be forced to conform to conditions laid down by the police authorities.

The opposing party—the abolitionists—agree as to the mischief due to prostitution, as to the impossibility of extirpating it, as to the difficulty of repressing it, as to the unwisdom of allowing it to flourish rampant. They insist, however, that regulation fails to achieve its purpose; worse still, as they argue, the moment prostitution is accepted provided it submits to certain rules, the State is placed in the position of authorizing, legalizing, or privileging the practice of vice. In the present and succeeding chapters these two opposing policies will be described and the effort will be made to decide the issues raised by them.

To describe regulation is by no means an easy or simple task; for the systems in vogue in different places vary fundamentally and essentially. They agree in stipulating that prostitutes registered with the police must heed certain restrictions placed upon their conduct in the interest of public order and decency, and that they must present themselves at regular intervals for medical examination in the interest of public health. They agree, that is, in their avowed objects. There is, however, no general

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agreement whatsoever as to what is feasible or necessary in order to attain the objects in question. The general term “Regulation” covers up difficulties and inconsistencies respecting which even the partisans of control are still widely at variance. This will become clear, if, after describing the rules in force at one place, I point out the divergencies from these that obtain elsewhere.

For the sake of simplicity, I shall divide the discussion into two parts: the first dealing with registration and with regulation in so far only as they touch the preservation of order and decency; the second, dealing with regulation in so far as it touches the question of venereal disease. Berlin shall furnish the basis of our discussion.

The Berlin prostitute almost invariably first comes into contact with the police in consequence of street soliciting. The plain-clothes morals police, shortly to be described, are charged with the duty of watching not only registered women—to see that they respect the regulations—but also unregistered women whose actions arouse the suspicion that they are seeking to practise prostitution for money,—the offence which is alone obnoxious to German law. We are concerned to trace the course of the latter.

A woman whose behaviour is suspicious is, in the first instance, warned by the officer—not arrested; if warning is unavailing, arrest follows. Should she prove to the examining officer before whom she is taken that she has a proper dwelling place, she is

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released on undertaking to appear next day before the morals police; if she is without dwelling or resources, she is taken there at once. In any case, she has at police headquarters no contact whatsoever with inscribed women, who may happen to be under arrest at the same time. Whatever may happen elsewhere, contamination does not occur there. Henceforth the procedure varies, according as the girl is under 18 years of age, between 18 and 21, or over 21. If under 18, she can nowadays in no event be inscribed; she must be turned over to her natural or legal guardian or to the juvenile court. If the girl is between 18 and 21, the same preliminary steps are taken; the morals police communicate with parent or guardian, as previously mentioned; and an endeavour is made to secure wholesome conditions for her at home, in some other family or in an institution. If these efforts are unsuccessful, the girl, despite the fact that she is a minor, may be inscribed, should she be re-arrested for the same offence and adjudged guilty in court. Women over 21 are at once turned over to the courts upon arrest, and after conviction may be summarily enrolled.

Up to the moment of inscription, prostitution for money or its equivalent is an offence punishable by imprisonment and hard labour; after inscription, the State withdraws its objection, provided the woman obeys the following directions.

She must not loiter offensively in streets and public places, nor solicit, nor be found in the company of

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prostitutes or pimps; except in case of urgent need, she must not walk in the following streets and places, viz., The Zoological Garden, Unter den Linden, Friedrichstrasse, Potsdamer Platz, etc.; she is forbidden to linger in the vicinity of schools, churches or royal buildings, or to attend the theatre, circus, expositions, museums, or concert gardens attached thereto; she is to have no intercourse of any kind with minors; she must admit police officers at any time into her dwelling, day or night, and give information about any person discovered with her; she must keep police headquarters constantly informed of her address; she may not reside in the vicinity of schools, churches, or public buildings and must change her dwelling on peremptory notice from the police. Any infraction of these regulations is punishable by imprisonment for not longer than six weeks; but the condemned woman may also be remanded to the police, on expiration of this sentence, for a workhouse term imposed by the police of not exceeding two years, in their discretion.

I have said that inscription at Berlin may be either compulsory or voluntary. It is apparently easy to understand why a police force, believing in the necessity of regulation as a means of preserving decorum, and in its efficacy as a means of promoting sanitation, should favour compulsory inscription; but why should a prostitute herself, without pressure from the police, ever ask to be subjected to its régime? A complete explanation will gradually

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emerge as we proceed with the description and discussion of regulation; but a partial account must be given at once. I remarked in the foregoing chapter that prostitution for gain is in itself a crime according to the letter of the German law; the prostitute is liable to arrest, punishment, eviction, whenever it can be proved that she earns money through immorality, whether she have other occupation or not. Voluntary inscription is an open confession of irregular life as a business. Instead, however, of leading to her immediate punishment for admitted violation of the law, confession and inscription operate in precisely the contrary way; they relieve the woman of molestation provided she agrees to carry on her illegal business in compliance with police formulæ. How far the conditions to which she subscribes when registered are enforced we shall learn later.

For the enforcement of the Berlin regulations a specialized police division, known as the Sittenpolizei or morals police, exists. Its head is an Inspector; he is assisted by five assistants, called Commissioners; and he commands a force of 200 patrolmen, who, in plain clothes, walk the streets in pairs. These men have sole and complete charge of the vice problem; the uniformed police have no duty or responsibility in connection with prostitutes or prostitution, intervening only in case of an emergency—a street brawl, for example, when there are no morals police in sight. The duty of the morals force is two-fold. First, they

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observe the inscribed women, in order to prevent infractions of the regulations. If a medical visit—to be described in a subsequent chapter—is missed, a morals patrolman searches for and produces the offender; if a registered woman otherwise notoriously transgresses her bargain, it is left to the morals policeman to take her in hand. Secondly, the morals force is charged with the duty of watching the uninscribed—usually called clandestine—prostitutes. I have already told how these women are observed, warned, and if they continue to be objectionable, arrested;—in all these steps, the morals patrolman is the agent who deals with the prostitute. His judgment and discretion determine who shall be warned, who shall be arrested, and thus, in the long run, who shall be forcibly inscribed.

Regardless, for the moment, of the manner in which the above mentioned regulations are executed, or the results thereby attained, it is interesting to note that in no two German cities is the same system in vogue. Berlin has, as we have seen, in addition to voluntary, also compulsory inscription, with scattered prostitution; that is to say, a prostitute detected in the practice of her vocation is forced to reside in a place approved by the police,—which place will in no event be a brothel or a bordell. Bremen, proceeding on the basis of the same statute, has only voluntary inscription; no woman is inscribed except on her own application and a woman so inscribed may remove her name from the list at her pleasure;

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the sole condition being that she live in Helenenstrasse during inscription, and remove from it to some other part of the city whenever she cancels her enrolment. Therefore a small number of Bremen prostitutes are inscribed and corralled; the rest—all non-registered—live as and where they will. Bremen and Berlin are therefore decidedly dissimilar. Other cities differ from them both and from each other. In Stuttgart, unlike Bremen, Munich, and Berlin, the inscribed women live in scattered bordells, and in them only. Hamburg is again different: for, like Berlin, it has both compulsory and voluntary inscription, while, contrary to all the above examples, the inscribed women live partly in bordells on a number of different streets and partly in approved but scattered lodgings on the Berlin plan.

Substantially the same variations are found in the other countries and cities that I visited. For example, in Paris, inscription is, as in Berlin, both voluntary and compulsory; the inscribed prostitute dwells in a bordell or not, as she pleases; she may, however, instead of living in a bordell, leave her name and address with the keeper of an authorized *rendezvous* house, to which she regularly repairs or may be summoned between certain hours; meanwhile no part of the town is exempt from prostitutes occupying scattered lodgings. Though they are thickest in certain well-known sections of Montmartre and the left bank of the Seine, they are also found in the Avenue Victor Hugo and the fashionable

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streets radiating from the Arc de Triomphe. In Vienna, once more, only voluntary inscription prevails: no woman is enrolled against her will. But if a woman carries on professional prostitution, the regulations make it her duty to enroll herself voluntarily. The rules expressly provide that the police shall handle the non-registered women more severely than the registered. It is assuredly a bit casuistical to maintain that the prostitute may inscribe herself or not—only she will be relentlessly pursued if she fails to exercise her option in the desired direction. Once registered, however, she may live in a bordell, or, as all but a mere handful do, privately. At Budapest, the girl is first turned over to a social worker who pleads with her to desist from her evil ways. If her efforts prove unavailing, registration follows. Meanwhile, unregistered prostitution is harried with great severity. The Stockholm regulations also make it the woman's duty to register.

Divergencies touch other points also: as for example, the circumstances that lead to arrest; the registration of minors; of married women; of women with other means of livelihood; the employment of non-judicial administrative punishment; the cancellation of inscription; etc. Married women can be forcibly enrolled in Paris and Berlin and, with the husband's consent, in Budapest. They are not even at their own request permitted to enrol in Munich or Vienna. In one place it is argued that marriage is often a mere form, for the husband is only the

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woman's pimp. Elsewhere it is argued that the institution of marriage is degraded, if a married woman is expressly authorized by the law to practice prostitution for her livelihood. Again, in the matter of other employment: the Berlin and Paris rules proceed on the assumption that many occupations are either cloaks for the practice of professional prostitution, or do not affect the character of the woman concerned. Hence women so engaged may be enrolled if they are professional prostitutes. Indeed, the rules of some cities give these women a certain leeway in the matter of reporting to the police so that their other occupation may not be interfered with. The point is that Paris, Berlin, and other North German towns see no inconsistency between registration as a professional prostitute and simultaneous employment as barmaid or otherwise. Bremen, Stuttgart, Munich, and Budapest take a very different view. They regard any kind of employment as the beginning or possibility of salvation; as soon as a girl begins to earn something honestly, there is hope that she may clamber out of the mire. Finally, as to punishment: at Paris administrative punishment is regarded as the very core of regulation. A registered woman has no legal rights. She is absolutely in the hands of the police inspector, who, on hearing the morals patrolman's complaint against her, pronounces sentence upon her. She may, of course, protest her innocence, but she is allowed neither attorney to represent nor witnesses to support

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her. The Paris police regard regulation as unworkable without this summary administrative power. The Prussian police partly disagree. They prefer that the courts should act in the first instance. Only after the courts declare the woman guilty of professional prostitution does she fall to the jurisdiction of the police. Once there, however, she is absolutely without legal rights.

Finally, in the matter of withdrawal from the police lists: Bremen, Stuttgart, Vienna, and Budapest cancel inscription on request; they regard every request as the possibility of a return to decency. Hamburg and Berlin, on the contrary, cancel no inscription until the police are satisfied that the woman is in earnest; an applicant is therefore secretly watched and on the report of an ordinary patrolman embodying his interpretation of her coming and goings, the ability of a prostitute to get a fresh start wholly depends. Stockholm removes a woman from the list "until further notice" in case she announces her decision to return to a decent life.

In one respect, Vienna differs at least in the letter of the regulations from all other cities. The reader will have remarked the effort of the Berlin stipulations to remove the prostitute from human associations. She is barred from certain streets; she is forbidden certain places of amusement. These restrictions are not conditioned upon her conduct, but upon the fact that she is a prostitute, and they form an important part of the regulations not only of

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Berlin, but of Paris, Munich, Brussels, and other cities. As showing once more the total failure of any agreement as to the details, the new Vienna regulation entirely abandons even the attempt to make the prostitute an outcast in this sense; she is only forbidden to appear in a group of immoral women or with a pimp.

Divergencies might be still further multiplied. I might point out that there is no agreement as to what constitutes the sort of prostitution which must be amenable to regulation, if regulation is successfully to achieve its purpose in preserving order and health. Germany holds that regulation need apply to prostitution only in so far as money passes; and the actual passing of a material consideration must be either admitted or proved. Austria urges that no headway can be made against such a technicality; the Vienna police, therefore, after watching and vainly warning, arrest on suspicion. Berlin acts most rigorously when the girl is without a definite home; Stuttgart and Bremen enrol only when the girl has a definite home, and in a bordell at that. It is clear that the variations mentioned seriously involve the nature, scope, and applicability of the system. I want for the present to call attention to the fact that, what at long range is called a system, or the system, of regulation, proves on fuller knowledge to be a very large number of systems. Confusion in structure may be taken to indicate that a satisfactory technique of regulation remains to be

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worked out. It becomes, therefore, important to accompany any discussion of the merits or demerits of regulation with a bill of particulars specifying the precise form of regulation in question ; for the variations above noted are not immaterial or accidental.

Though systems of regulation differ thus in practically every respect, they are singularly alike in one highly important regard : they have been generally developed by more or less arbitrary action on the part of the police and without the deliberate and express sanction of a competent legislative authority. From this statement, the British Contagious Disease Act—long since repealed—must be excepted ; to the extent that that legislation introduced regulation into Great Britain, adequate legislative authority could not be said to be lacking in any respect ; the Belgian system, too, reposing on communal law, is apparently well authorized ; such is also the case in Hungary, where two statutes—one passed in 1876, the other in 1899,—authorize the police regulation of prostitution. Elsewhere this is not, and never has been, the case. But continental tradition accords to the police an extensive jurisdiction and initiative in regard to matters more or less loosely left within their province. In dealing with certain matters, the police are therefore in the habit of taking summary and arbitrary action on the basis of custom or on the warrant of ancient degrees of dubious validity. The courts usually decline to interfere, even though, as I shall show, they do not hesitate to impugn the

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adequacy of the legal basis. Neither in France, nor Germany, nor Austria has the national legislature deliberately and unambiguously created or even sustained by statutory enactment the police regulation of prostitution, as now carried on in those three countries: nay, more, in certain important respects, regulation has been practised by the police only by subterfuge in more or less plain disregard of the letter of the statutes.

The statement above made would not be greatly strengthened by the citation of even weighty authorities, who are opposed to regulation on principle. I propose therefore to quote only jurists who are favourable to regulation, men whose interest lies in making out the strongest possible case for its legal warrant. As to Paris, I shall follow M. Lépine, to whom I have previously referred as an extraordinarily able official. The powers there exercised by the police in respect to prostitution are derived from a royal ordinance of 1684 appointing the Salpêtrière for the reception of prostitutes and vaguely prescribing that final sentences in respect to them may be imposed by the police; by two subsequent ordinances of 1778 and 1780 forbidding the renting of rooms to prostitutes; and by a law of the year VIII (1799) authorizing the police to watch prostitution, to provide for the security of the streets and to check epidemics and infectious disease. From these general directions to the minute specifications and exemptions of the Paris regulatory system is indeed

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a far call. It is impossible seriously to maintain that they warrant or were ever intended to warrant the procedure ostensibly derived from them. The police themselves are so conscious of the uncertain footing on which their system rests, that they have again and again sought its validation through express legislation. In 1811, 1816, 1822, 1848, 1877, and 1895 efforts to secure such legislation met with failure. Reviewing these unavailing endeavours to establish regulation on a secure legal basis, M. Lépine declared before the Extra-Parliamentary Commission: “In these conditions the Police Prefect has had no other resource but to cling to old methods which, even if not converted into laws, have been tolerated and approved by all governments.”

The situation is no better in the rest of France. Regulation in the provincial cities is based on certain paragraphs of a law of April 5, 1884,—a law, however, which does not venture to mention the policy in defence of which it is now invoked. The Austrian regulations are likewise a creation of the police, ostensibly pursuant to a general statutory provision that vaguely leaves the “punishment of professional prostitutes to the police authority.” But regulation consists not in *punishing*, but in *condoning* prostitution, provided certain police stipulations be complied with. Dr. Baumgarten, the capable, humane and cultivated official who presided over the morals police of Vienna, admitted the flaw in Austrian legislation: “The legal basis upon which the present system of

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police regulation reposes is throughout vulnerable." The law must be so amended, he urges, that the police are charged, not with *punishing* prostitution, but with *watching* and *controlling* it, on lines to be devised by themselves.

The foundation of regulation in Germany is equally dubious. Paragraph 180 of the Criminal Code makes it a punishable offence to rent a room to a prostitute. Now the moment the police inscribe a prostitute, they register her dwelling-place; and they bear with particular severity on prostitutes who are "without a definite domicile." Regulation begins, therefore, by flying in the face of the statute. Grave doubt exists further as to whether in any event compulsory inscription is legally defensible. The Imperial Chancellor in 1907 admitted that the law is "illogical and confused;" and the most recent decision of the Reichsgericht, involving the interpretation of the statute, concedes that "the competency of the police in the matter of compulsory inscription is not uncontested." A recent ministerial instruction endeavours to break the force of objection by insisting that, though the police still retain the power of forcible registration, it is not to be exercised in Prussia until the woman has been regularly convicted of professional prostitution. Strong evidence of the legal insecurity of the existing systems is furnished by the radical changes proposed in the draft of a new criminal code. Conceding that prostitution as such is not to be punishable as a

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crime, it takes the position that "it is necessary to watch prostitution" and empowers the police to issue the necessary regulations, subject to prior enactments on the part of the State legislatures; but these regulations may not distinguish between controlled and non-controlled prostitutes,—they must be applicable to all alike.

The most striking fact in connection with the operation of all systems of regulation is the small inscription list. There are, it is true, variations: but the largest list, that of Paris, probably includes hardly more than one prostitute in eight, from which maximum the lists in other cities decline rapidly to utter insignificance. The following table exhibits the size of the inscription lists, the population of the towns in question, and the ratio between the two.

The facts that stand out are the fractional nature of enrolment at its very best, and the enormous variations in ratio. I shall point out the reasons for this and later inquire for the effects.

RATIO OF INSCRIBED WOMEN TO POPULATION.

	Population	Number of inscribed women	Ratio of latter to former
Paris	2,888,110	6,000 (Approx.)	1 to 481
Marseilles	550,619	639	1 to 861
Bordeaux	261,678	410	1 to 638
Lille	217,807	108	1 to 2,016
Nantes	170,535	125	1 to 1,364
Le Havre	136,159	136	1 to 1,001
Toulon	104,582	325	1 to 322
Berlin	2,071,257	3,559	1 to 582
Hamburg	931,035	935	1 to 995

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RATIO OF INSCRIBED WOMEN TO POPULATION.

	Population	Number of inscribed women	Ratio of later to former
Munich	596,467	173 (Approx.)	1 to 3,441
Dresden	548,308	293	1 to 1,871
Cologne	516,527	600	1 to 828
Frankfort	414,576	300	1 to 1,382
Stuttgart	286,218	22	1 to 13,010
Bremen	247,437	75	1 to 3,299
Mannheim	193,902	14	1 to 13,850
Augsburg	102,487	6	1 to 17,081
Munster	90,254	1	1 to 90,254
Vienna	2,031,498	1,689	1 to 1,203
Budapest	880,371	2,000	1 to 440
Rome	542,123	225	1 to 2,409
Stockholm	346,599	554	1 to 625
Brussels	659,000	182	1 to 3,621
Geneva	154,159	86	1 to 1,793

Different years show a considerable fluctuation in the above totals, but the general tendency is markedly downward. Paris, for instance, inscribed 4,519 in the year 1830, when its population was 800,000; in 1873 the registration was practically the same, 4,603; thenceforth it declined steadily to 2,816 a decade later; since that time a progressive rise brings it in 1903 to 6,418; a decline is again in progress, for 1910 does not exceed 6,000. At Berlin there was a steady rise from 1886 to 1896: the list stood at 3,006 in the former year, 5,098 in the latter; since which time, despite increased population, the enrolment declined to 3,115 in 1905; i.e., almost 40%. The last figures obtainable show a registration of 3,559. In Vienna, 1,780 stood on the books in 1900, decreasing year by year until only 1,441 remained

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in 1910; since the revision of the rules in that year, increased vigour has brought about an increase to 1,689. Stockholm reached practically the same high water mark at different intervals, showing the inevitable fluctuations with which, there as everywhere else, inscription has been pursued. In 1903 the number stood at 936,—the figure which it had also reached over a quarter of a century before. Thereupon there came a decided drop: 119 women had been newly enrolled in 1903; 67 were enrolled in 1904. By the year 1912, the total enrolment—itself considerably larger than the effective enrolment—had sunk to 554.

In most cities—as the figures above given show—regulation is moribund, and in many quite dead. As compared with the total volume of prostitution, the enrolment is at the best unimportant, and at the worst, altogether negligible. If, as is estimated, there are 30,000 prostitutes in Vienna, the maximum inscription is barely 5%. As opposed to a registration of 225 in Rome, the police records show 5,000 women under observation at one time or another. In the year 1909, 140 women were inscribed at Munich; during the same year, the police were keeping track of 2,076 clandestine prostitutes; in 1911, with 173 women inscribed, 2,574 clandestines were under police observation, the former about 7% of the latter.

Nowhere, of course, is forcible inscription possible, unless a clear case can be made out. The police

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agents are therefore bound to proceed with great circumspection. They are indeed instructed that a hundred omissions are preferable to a single error, or apparent error. The agent may lay hands on the poor and friendless street-walker without danger of exciting hostile criticism ; but for several reasons the more sophisticated forms of prostitution he dare not touch. Proof is harder ; the woman has friends ; the public resents interference with personal liberty. The mere size of the force at the disposal of the police inspectors makes little difference ; Berlin has a relatively large body of agents, Vienna a very small one. Yet the latter achieves almost as much as the former, because neither can forcibly detain any but the most obvious and flagrant offenders.

But there is another difficulty, connected with the size of the morals division. Berlin sets aside 200 men for the service ; Paris 240 ; Vienna 6 ; Brussels 6 ; Dresden 18 ; Frankfort 14 ; Hamburg 24 ; Budapest 32 ; Bremen 3. It is complained at Berlin that 200 are inadequate ; clearly then six cannot suffice for Vienna. Yet to any proposition to increase the force materially the objection is made that only a small body of men can be protected against corruption or defilement. For, be it remembered, wherever enforced inscription is in vogue, the morals police have enormous power. It practically lies with them to say whether the clandestine prostitute walking the streets is to be cited before the division head for punishment and enrolment ; whether the registered

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woman is to be permitted with impunity to violate the stipulations above given, or to be punished for infraction thereof. In general, the perils to which a large force is exposed have decided the authorities in favour of a small one ; with the result that thorough and consistent action is impossible.

A somewhat apologetic attitude has resulted from the general failure of even forcible inscription to make a better showing : one is told that the police do not desire a large list ; that registration is purposely limited, etc. This explanation is not convincing. Of course, regulation has no interest in keeping in prostitution women who can be induced to leave it ; but in the case of women who are prostitutes and who cannot be dissuaded to desist, regulation, if effective, must certainly enrol them. Regulation has no desire to swell the ranks ; but it cannot succeed unless it has a complete list of those really in the ranks. The police apology is an indirect admission that under modern conditions prostitution by reason of its protean nature cannot be catalogued.

From the impossibility of cataloguing prostitution, other disastrous consequences to which I have already adverted, inevitably flow. For, despite the unimpeachable character of the police heads, and the splendid quality of the general force, wherever forcible inscription is practised, that portion of the police force which comes into contact with prostitution, viz., the morals police, is widely believed to be contaminated. Whether with money or favours,

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the women buy immunity from inscription; the patrolman, warned by his superiors that it is better to let a hundred guilty women escape than to make one mistake, easily conceals corruption beneath the pretence of caution.

Forcible inscription is therefore predestined to failure. But there are weighty objections to it even in the limited form in which it is still employed in a few places. For it traverses at right angles the modern spirit. Our discussion of the nature of prostitution indicated that it is frequently only a phase through which thousands of women pass; their individual interest and the interest of society require that every facility for exit and oblivion should be furnished. Regulation does precisely the reverse. It may convert the heedless victim of an escapade into a life-long outcast. And this power, which once for all deprives her of the aspiration to improve, is ultimately lodged in the hands of an ordinary patrolman; *his* observation, *his* judgment, *his* interpretation, *his* assertion determine whether or not she is to be pushed across the dividing line into the abyss: his word against the girl's. Assuredly it is the function of a society, whose arrangements are by no means guiltless of her fate, not to extinguish, but to foster the feeble flicker of endangered personality. It must not be forgotten that in every city there are at this moment thousands of women technically liable to inscription who will in their middle twenties and later emerge from immorality and

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prostitution; they can for the most part emerge, precisely because they are not inscribed. It may be questioned whether a mature woman ought to be permitted by society even voluntarily to brand herself a professional prostitute: there is no shadow of doubt that no modern society can afford to compel her to do so.

The essentially medieval character of forcible inscription is most clearly illustrated by its connection with summary police power. No system of inscription can achieve even the fractional success of the Paris and Berlin systems if it allows the accused girl counsel and witnesses. For the lists are kept at their present minimal size only because the police can by summary action build them up as fast as they melt away. Frightful miscarriages of justice are bound to occur in consequence of arbitrary action: for example, a woman leaving her home in the Rue des Cordiers is arrested by a morals policeman, in spite of her protestations that she is on her way to procure medicine for a sick child; while she is detained in prison, the child dies in the course of the night. Following her arbitrary detention, the Paris suspect is brought before a police bureaucrat, who hears the accusing patrolman, asks the girl or woman, perhaps terrified and certainly undefended, a few questions and summarily orders her enrolment, if he so please: thenceforth she is not only a social, but a legal outcast. Utter helplessness is her lot; and that too amid conditions that conspire to bring

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about not improvement but further degradation. For the accessories to Paris regulation, the depot at police headquarters, the hospital and prison at St. Lazare are sheer survivals into our day of the barbarous dungeons of the middle ages. The present presiding officer endeavours to impart a more or less humane spirit to his decisions; but the conditions under which his power is exercised would overtax the wisdom of Solomon.

Insuperable difficulties thus confront a vigorous regulatory policy. If regulation is needed to protect order and health and to prevent scandal, then it is obviously impossible to leave it optional with the prostitute whether she will be inscribed or not; force is absolutely necessary to success. But to force there is at once the objection that it can be applied to these without suspending all legal guarantees, and that, once these are suspended, the way is open to corruption and oppression that are to a modern community utterly intolerable.

But we have not yet recounted all the difficulties that beset regulation. Not even forcible enrolment can greatly swell the lists unless the inscription of minors is allowed. That the duty of the State towards defenceless or erring children is custodial would appear to be a principle on which modern society had already agreed. Experience already touched on shows that though prostitution is commonest in the teens and early twenties, large numbers of those who give way in these years recover their

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self-possession afterwards. Hence, forcible or even permissible inscription of girls under twenty-one is the very acme of unwisdom and inhumanity. Had the Paris police refused to enrol minors their list, already relatively small, would have almost collapsed: between 1888 and 1903, 12,471 women were inscribed at Paris, 38% of whom were minors at the time. In the year 1901, 635 women over 21 years old and 660 minors were forcibly enrolled,—more minors than adults! The same monstrous practice prevails elsewhere. The Stockholm regulations state that as a rule girls under 17 are not to be inscribed; yet of 4,651 new registrations between 1859 and 1904, 1,353 were under twenty years of age; of 338 women enrolled in 1905, 196 (i.e., 58%) had been registered during their minority. In Germany minors are inscribed in Bonn, Danzig, Dessau ("but not under sixteen years of age!"), Frankfort, where 43 were between sixteen and nineteen years of age, Mannheim, Rostock, Wiesbaden, etc. Dufour's tables show the age of the youngest inscribed prostitute in the various German cities, up to 1885: in East Prussia, she was fourteen years old; in the Rhine province, Schlesien, Posen, West Prussia, Bavaria, fifteen; in eight others over fifteen and under sixteen. Berlin now refuses inscription below eighteen and acts cautiously in case of girls between eighteen and twenty-one. The evidence afforded by Vienna is even more telling. The inscribed list there is on the most favourable interpretation absurdly small: even

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so, 16% of those inscribed are minors; meanwhile of non-registered prostitutes arrested on the streets over 57% are minors. It is thus evident that in this essential matter, the system is also on the horns of a dilemma: if minors are not enrolled, the system collapses; if minors are enrolled, society perpetrates an infamy.

A further weakness inherent in forced inscription has already been alluded to: it is like pouring water into a sieve. When once the obvious cases have been gathered, the total can hardly be increased, no matter how great the pressure. Women disappear on the one hand as fast as they are registered on the other. In a single month in Berlin sixty dropped out; at Cologne, though 1,200 are registered in the course of the year, the active list is hardly half that number. So at Vienna, while 2,600 stand on the books at the close of the year, 1,000 have vanished in the same period, so that the effective inscription is about 1,600. With a total enrolment of 3,582 at Paris in 1880, 1,757 women disappeared,—46 by death, one by marriage, six to return to a decent life, the rest simply dropped out, eluding police control in one way or another. The following table exhibits the status there in other years selected at random:

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Year	Number of Inscribed Women	Disappeared in the course of the Year	Returned to Decent Life		
			Died	Married	
1881	3,160	1,524	34	2	27
1884	2,917	985	39	13	6
1887	4,681	2,503	18	8	22
1893	4,793	1,121	9	8	17
1897	5,233	1,599	14	27	43
1900	6,222	823	26	39	57

At Dresden I was frankly told: "Compulsion is useless; it only increases hiding and disappearing." Forcible inscription therefore cannot be operated.

On the other hand, as I have said, if inscription is voluntary, the whole thing goes to pieces. The size of the enrolment at Bremen, Stuttgart and Munich, where the girl decides for herself, is absurdly small. The inducements offered are very substantial, for if a woman complies with the regulations the police guarantee her the unhampered prosecution of her business. Yet even so, a vestige of surviving decency intervenes to keep far the greater number from voluntarily branding themselves.

Meanwhile, neither forced inscription, inscription of minors nor inscription of working girls can build up a list that is at all commensurate with the magnitude of the evil. The showy women of the cafés, the boulevards, the variety theatres are absolutely free from molestation. The Paris police "do not arrest, do not disturb, do not even watch the well-to-do courtesans who frequent the Bois de Boulogne, driving a fast pair of horses; who live luxuriously

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near the Parc Monceau; who frequent theatres, concerts and balls,—in a word the aristocracy of the underworld. Another class is also immune: the grisettes of the Latin Quarter. The demoiselles of the Boulevard St. Michel are the faithful friends of the students: they are respected by the police!" These women are all technically called "clandestine,"—an absurd misnomer, for their way of living is as notorious as that of any registered prostitute in the city. A little shrewdness enables them readily to avoid giving offence. The truth is that no effort is made to secure thorough inscription,—partly because it is foredoomed to failure, partly because it could be too easily balked by corruption and intrigue, and partly for another reason that will appear in due course. And this is just as true in other cities as in Paris. Everywhere the police get hold of the dull and abandoned only. I recall the indignant rejoinder of a Berlin street-walker, on my asking whether she was inscribed: "No, indeed, only the stupid are inscribed."

Let us now address ourselves to ascertaining the results of regulation. I have stated that in favour of the system two reasons are urged,—first, that it is necessary to the preservation of order; second, that it promotes the public health. The two must be separately investigated.

In respect to order on the streets, European cities of approximately the same size are, with few exceptions, practically alike. I have pointed out that the

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street-walker seeks by preference the main channels of retail trade; there she is found in the late afternoon and evening hours, noticeable by reason of slow gait, furtive expression, and more or less striking garb. If no response is made to the invitation conveyed in a glance, she passes on; doubtful or encouraged, she stops at a show-window or turns off into a café or a side street. Only in the late hours of night, does she become more aggressively provocative. This description applies to all the great capitals. In general, it may be said that external appearances in no one of them differ so markedly from external appearances in the others as to imply a different policy in reference to the phenomenon. Public opinion objects to scandal without requiring complete suppression; to this attitude prostitution has everywhere accommodated itself. The streets of London, in which, as we shall see, no particular action is taken in reference to the prostitute, are not to be distinguished essentially from those of Paris and Berlin, in both of which minute specifications aim to exclude the evil from prominent thoroughfares; nor are Paris and Berlin distinguishable from Vienna, in which no such stipulations are made. External conditions have everywhere ameliorated.

The same general description holds of smaller cities. To this group belong Hamburg, Cologne, Frankfort, Munich, Rome, Budapest, Copenhagen, Stockholm, Lyons, Glasgow, Manchester, and Rotterdam. Roughly speaking, these cities vary in

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population from one-half to three-quarters of a million inhabitants. On the main thoroughfares of their retail trade, a certain number of prostitutes stroll during the accustomed hours. A glance, a half whispered invitation and a smile form the usual preliminaries, rarely carried further, unless an encouraging response is returned. From time to time, increased pressure on the part of the police results in perceptible improvement of street conditions; and this happens equally in Liverpool, without regulation, and in Cologne, with it. I visited the latter city at a time of distinct police activity. At eleven o'clock at night the streets on which women used to loiter were practically clear; a solitary street-walker, very suspicious of strangers, explained that conditions had become intolerable and "for her part, she was going back to Frankfort."

From the preceding it may, I think, be fairly concluded that regulation as it now exists in European cities has failed to improve order on the streets. For, though there has been improvement, it has taken place generally,—in cities that have regulation, in cities without it; in cities where there is a tolerable inscription list, and in cities where the inscription list is merely nominal.

On the other hand particular attention must be called to the fact that regulation itself is an obstacle to thorough cleaning of a city's streets; it prevents the authorities from taking vigorous measures in this direction. The law concedes to the inscribed prosti-

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tute the privilege of living by immorality. In so far as the women live scattered, they must be permitted to find customers, once the right to earn a livelihood in this way has been granted; for that purpose they must be permitted to show themselves in the streets, in cafés and elsewhere, excepting only certain thoroughfares and places that are mentioned in the regulations.

But as a matter of fact not even these excepted places are—or can be—protected from the inscribed women. Common sense refuses to consider it a crime to walk on Friedrichstrasse, while patrolling one block below on Charlottenstrasse is harmless; or that a woman, who is free to promenade on Dorotheenstrasse must be fined and imprisoned for promenading on the Linden running parallel thereto. Indeed the streets from which the licensed prostitute has agreed to withdraw are not infrequently those where she is most at home; and a large loophole for police favour and corruption is thus created by the existence of rules only occasionally and capriciously enforced. But other consequences follow. What is allowed to the inscribed woman cannot be forbidden to the uninscribed: it is not in human nature to forbid to the one what is so freely allowed to the other. “What effect do the street restrictions have?” I inquired of a Paris police functionary. “None,” he replied, “they are a dead letter.” It practically results that the police do not systematically interfere unless scandal arises; in which event they

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would interfere anyhow, whether regulation existed or not.

In respect to street order, regulation is, therefore, in my judgment, a hindrance, not a help, for it is at war with its own avowed object. Once under control women must be permitted to walk the streets; and if they, responsible to the police, are permitted, how can others, not so obligated, be prevented? Hence a measure designed to clean the streets ends by tying the hands of the police, so that the streets cannot be vigorously cleaned. Consequently no regulated city possesses streets as free from scandal as the streets of Amsterdam, Zurich, and Liverpool,—all non-regulated cities, in which a consistent and thoroughgoing course of action bearing on all women alike is feasible.

That regulation, so far from cleaning the streets, is inconsistent with that effort is not only evidenced by one's senses; it is further proved by police reports. If regulation succeeded, the inscribed women would give the police the least trouble: as a matter of experience, they give them the most. Paris affords the best proof of this statement. In the year 1903, 55,641 arrests were made among inscribed women for street offences. Meanwhile, among the far more numerous non-inscribed only 2,821 arrests were made. In Stockholm, against 413 enrolled women in 1903, 9,908 complaints were noted and 1,273 arrests made; three years later against 241 women, 7,515 complaints are recorded, 1,246 arrests

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made. In the years 1900-1904, 34.7% of the enrolled women received hard labour sentences.

Attention should also be called to the ineffectiveness of regulation in dealing with offences. The women are arrested,—sentenced now to prison for a few days, now for longer periods or set free at once,—only to resume the way of life that led to their apprehension. I watched the “trial” of a group of women in Paris,—several of whom had been released from prison but a few hours before they were re-arrested; one of them had spent 28 days out of the last month in St. Lazare; others had been “sent-up” more times than they could recall. The less hardened are so leniently dealt with that the restrictions are ignored on the chance that nothing will come of an offence against them.

The offence on account of which arrests are made is usually disorder in consequence of drink; occasionally, some more serious breach has been committed. But with these problems ordinary police and judicial methods are surely quite competent to deal. One of the Berlin officials indeed has publicly proposed to drop the order function from the duties of the morals police and to secure the health function by attaching the work to the health department; and the new regulations of Vienna to some extent reflect this attitude.

Indeed, it seems somewhat absurd to hold that the regular police is competent to cope with thieves, murderers, counterfeiters, and all other irregular

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characters, crude and subtle, that are attracted like moths to the great cities, while they lack the wit or courage to deal with the crime and disorder in which prostitution is implicated. The fact is that the state of the streets depends on the vigour of the police, the sensitiveness of the public, the management of the drink and amusement traffic and the attitude of the courts. An unfavourable judicial decision as to what constitutes a nuisance may change the entire aspect of things, with or without regulation. The Acting Recorder of Liverpool held in 1908 that solicitation to be punishable under the Vagrant Act of 1854 must include actual indecency ; whereupon the Chief Constable reports that "we are going back somewhat in keeping the streets clear of this nuisance."

So much for the streets; and in cities where prostitution is scattered, as in Munich and Berlin, the value of regulation in respect to order depends altogether on what it achieves in keeping the streets free from scandal. There are those who say, however, that it is not fair to arrive at an unfavourable verdict on this basis alone ; they urge that the regulation of scattered prostitution may fail, while the regulation of interned prostitution may succeed. That opens up the question of bordells to which the next chapter will be devoted.

CHAPTER VI

REGULATION AND ORDER—BORDELLS AND SEGREGATION

The bordell defined.—Proprietor and inmate.—Licensing of bordells increasingly rare.—Subterfuge adopted in Germany.—Rules governing the conduct of bordells.—Number of bordells in Europe.—Insignificant as compared with the volume of prostitution.—Europe knows nothing of “segregation.”—Segregation never successful.—Why the bordell is dying out.—Houses of prostitution dependent on White Slave Traffic.—Shameless exploitation of inmates.—Effort in Vienna to prevent exploitation.—The bordell favourable to abnormality.—The bordell and crime.—The bordell and street conditions.—Does the bordell reduce other forms of prostitution?—The prostitute's domicile.

STRICTLY speaking, the bordell is a licensed or recognized house of prostitution, the proprietor of which is entitled to carry on the business for which the establishment is set up. At Brussels such houses are licensed on payment of specific fees; at Paris and Vienna they are merely authorized—tolerated by the police, nominally as long as they comply with certain stipulations; actually, as a rule, until the property is demolished or the business becomes unprofitable. The inmates of the bordell are employees working on a percentage basis. The proprietor boards and lodges them and requires of them practically any service—normal or abnormal—that the whim of a patron may demand; in return they receive—or are

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credited with—part of the receipts, usually fifty per cent. Against this sum, theoretically theirs, are usually charged clothing, perfumery, medicines, and other extras. Their cash receipts are therefore a diminishing quantity.

To the licensing or toleration of outright houses of prostitution public opinion in Europe has become increasingly hostile; at the present time, it is permitted in France, Belgium, Austria-Hungary, and Italy; it is forbidden in the German Empire, Holland, Switzerland, Denmark, Norway, Sweden, and Great Britain. In France and Austria, no further concessions will under any circumstances be granted; whenever, and for whatever reason, a bordell closes, the institution is by so much nearer to extinction. The bordell is therefore not co-extensive with regulation and the area open to it is constantly shrinking. On the other hand, it is, as a matter of fact, more widespread than official accounts lead one to suppose. For in many German cities, through the connivance or compulsion of the police, establishments are found which are bordells in everything but name. The statutes, indeed, expressly forbid their existence: "Whoever furnishes an opportunity for immorality shall be punished as a pander." This provision makes the outright licensing or recognition of bordells impossible, since the keeper would be at once liable to criminal prosecution. They exist nevertheless. I have pointed out that the police dictate the dwelling-houses

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of registered prostitutes; they thereby condone the technical violation of law by the landlords or mistresses of those dwellings where registered prostitutes are authorized or ordered by them to live. If then several women are permitted or ordered to "board" at a particular house, an establishment is set up that is a bordell in all but name. Technically, the girls are boarders. In reference to this matter the police or other authorities vary in candour and straightforwardness. "We have in Cologne no bordells and no bordell streets," says one; a similar declaration was made in Parliament by the member for Hamburg. But in their less technical moments the police admit the practical truth. The author quoted above as declaring that there are no bordells in Cologne, subsequently gives a list of streets in which "bordells are found." A questionnaire was addressed by Frau Katharina Scheven to the municipal authorities of 235 German cities in 1904, fourteen of which frankly admitted, and about 200 denied, the existence of bordells. Hamburg and Bremen are the most prominent examples of the subterfuge practised by the police of certain German cities in this matter. In different sections of the former there are "boarding-places" to which the registered prostitute is "referred"; nor will she be permitted to remain in the city unless she "boards" in one or another of them, provided the police so require. Her "mistress" charges her for rent and food. Nominally, the girl's earnings are her own and the mistress

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does not command her services. As a matter of fact, the visitor is greeted on entering by the madame and her girls,—precisely as in a bordell; the place is notorious as a bordell; liquor is pressed upon the guest's attention and all partake,—just as in a bordell. The girls may be supposed to retain their earnings, paying only for what they get; but in practice they have to use every possible device to conceal from the mistress the amount received from their patrons. Finally, the sums ostensibly belonging to them are wiped out for the most part by "extras" which they require or are cajoled into purchasing from or through the so-called "landlady." Similar establishments exist in Dresden, Cologne, and Frankfort.

In Bremen, the mistress on the premises is eliminated and the women maintain a certain measure of independence. The twenty-five houses of Helenenstrasse are divided into small flats, each of which is occupied as a housekeeping apartment by a prostitute and her servant. The places differ from bordells in the absence of a landlady, and of a general meeting and drinking-room. But meeting, drinking, and indirect exploitation take place nevertheless. Despite this very common violation of the spirit and intent of the law in Germany, it is interesting to observe that the courts have by no means always protected the police in their disingenuous procedure. In Heidelberg in the year 1907 three houses of prostitution were closed, the court holding that the conniv-

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ance of the police did not affect the punishable character of the landlord's offence.

Regulation applied to bordells or quasi-bordells aims to govern their location, the number, age and medical inspection of inmates, the sale of liquor, the money relations of mistress and girls, the maintenance of order, and the extent to which inmates are privileged to appear on the streets. We shall, for the present, omit everything pertaining to the sanitary side, which will be discussed in the next chapter. The maximum number of inmates, an accurate roll of whom must be kept, may not exceed the police allowance; minors may not be employed as servants; schoolboys are not to be admitted; police officers are to have entrance at all times. In Vienna, bordell women are not allowed to seek patrons on the street; the keepers are forbidden to sell liquor or to provide music. The proprietress in Paris is specifically warned of the precarious tenure of her privilege, which will be terminated in case of abuse, scandal, or infraction of the regulations. Inmates are forbidden to solicit at windows; no attempt is made to regulate the sale of alcohol or to prevent exploitation; nor can an inmate decline to put herself at the disposal of any customer who selects her, whatever his condition. At Hamburg the authorities are theoretically concerned to prohibit exploitation. On the second page of the health record book, given to every inmate, the following announcement is printed: "Should the 'landlady' endeavour to

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d detain an inmate on the ground of debts or loans, the girl is to make a complaint to the physician who conducts the medical examination, in case she cannot report to headquarters." It is further provided that women must promptly notify the police of change of residence or of absence from town, permanent or transient; that they must not live or spend the night in any house not approved by the police, consort with minors, appear at doors or windows, or be found anywhere but in their dwellings from 11 P.M. to 6 A.M. The Vienna stipulations concern themselves particularly with the prevention of exploitation. The personal inspection by the district officer concerns itself with the physical condition of the bordell, with its business conduct, and other possible subjects of complaint. The Budapest regulations aim mainly to obstruct exploitation and to procure a measure of personal freedom. It is explicitly stated that not less than one-fourth of the girl's earnings must belong to her; that she must be allowed to walk abroad "independently and alone" during at least three hours a day, and an extra half day once a week; finally, no hindrance must be placed in the way of her going to church.

The following table portrays the present European situation in respect to the existence of bordells or quasi-bordells,—their number, location, number of inmates in connection with the number of inscribed prostitutes, and the estimated number of non-

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incribed prostitutes; it includes only those cities which I myself visited.

City	No. houses of prostitu- tion	How located	No. of in- mates	No. inscribed prostitutes not living in houses of prostitu- tion	Estimated total num- ber of pros- titutes
Paris	47	Scattered	387	6,000	50,000-60,000
Vienna	6	Scattered	50-60	1,630	30,000
Hamburg ...	113	On 8 scattered streets	780	155
Budapest ...	13	Scattered	260-300	2,000
Dresden	81	On 32 different streets	293	Few
Frankfort ...	10	Scattered	100. (about)	188
Cologne	98	Scattered	194	500	6,000
Geneva	17	Scattered	86	None
Rome	22	Scattered	125	100	Over 5,000 known to police
Brussels	6	Scattered	37	145	Over 3,000 known to police
Stuttgart	10	Scattered	22	None
Bremen	25	One street	75	None
Stockholm ..	30	On 6 scattered streets	98	228

A careful study of the data above given discloses a number of important points. In the first place, omissions are significant. The bordell is altogether non-existent in certain countries, and has been suppressed in many large cities, though other towns in the same countries still permit its existence. In

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Germany, for example, Berlin and Munich have no bordells such as are found elsewhere in Germany. But the most striking fact is the insignificance of the number of professional prostitutes. The vast majority of prostitutes live untouched by police control; the vast majority of the inscribed prostitutes in Europe live scattered, not in houses of prostitution. Some 40,000 prostitutes in Paris are wholly free of police control; of the 6,000 registered women of the city, 5,575 live with police consent as individuals here, there, and everywhere; the remaining 387 live in forty bordells situated in almost as many different streets. Of 1,689 women inscribed in Vienna, 1,630 live where they please; the remainder, something between 50 and 60, occupy six bordells located in different sections of the city; less than one-third of Stockholm's registered prostitutes are quartered in its scattered bordells, and the registered prostitutes are as everywhere else but a fraction of the whole number. Only rarely do even the police put forward a more favourable interpretation, as, e.g., in Geneva, where, with 86 women interned in bordells, I was gravely assured that not above forty non-inscribed women strolled the streets. In company with an English physician, I counted twenty unmistakable women between the acts at the Kursaal that evening; at midnight, standing at a corner of the Place des Alpes, we observed forty more in the course of a few minutes.

The table above given disposes once and for all

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of "segregation." Segregation in the sense of an attempt to confine the prostitutes of a city or even the majority of them to a single locality or even to a few definite localities is not undertaken in any European city from Budapest to Glasgow. If, as is the case, they cannot be caught and inscribed, how are they to be caught and segregated? Indeed no European city succeeds even so far as to confine to bordells or bordell quarters even the inscribed part of the prostitute army which has been expressly ordered to stay there.

Segregation is therefore impracticable; more than this, any attempt to bring it about is also recognized to be inadvisable. In the first place, the impossibility of thoroughness creates an obvious opportunity for police corruption; a woman who objects to being segregated may for an adequate consideration induce the police to overlook her. Again, a segregated quarter would give to vice the greatest possible prominence. Finally, it would expose to moral contagion those who are already most imperilled and whom every consideration of interest and decency should impel society to protect—the children of the poor. For the segregated quarter will inevitably be located where rents are low and where the neighbours have least influence. Objection to bordells on the part of those living in the vicinity is, moreover, becoming increasingly louder, says the head of the morals police of Budapest in his last report. A few months ago, the police of Frankfort endeavoured to

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placate neighbourhood sentiment by ordering the transfer of certain scattered bordells to a single street adjoining the railroad. A storm of public indignation led to the speedy abandonment of the proposal, although fifteen houses had already been bought on speculation for the purpose.

To what is said above as to the non-existence of segregation in Europe, Hamburg and Bremen are sometimes said to be exceptions; not infrequently they are described as having segregated prostitution. Such is not the case. In Hamburg the bordells forced into existence by the police are found, not in a segregated quarter, but in at least eight different streets scattered through the town; and six of the eight streets contain houses in which prostitutes do not reside and are not permitted to reside. But the case is less favourable to segregation than even the foregoing statement represents; for not even all inscribed prostitutes live on the eight streets in question; and the non-inscribed do in Hamburg what they do everywhere else,—quarter themselves wherever they can.

Nor is the example of Bremen any more favourable to the feasibility of segregation. There the entire registered list is indeed confined to one street,—Helenenstrasse; but the separation of seventy-five women or less in a seaport town in which hundreds of prostitutes live scattered through the city is assuredly not "segregation." Nor was Helenenstrasse itself a deliberate move towards segregation.

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A contractor had built up the street with twenty-six little apartment houses as a speculation in 1878,—the year of a panic in the building trade. Facing ruin, as the houses could not be rented, he accepted the chance suggestion of a police official that the rooms be let to prostitutes. The historian of the incident writes: “Since that time,—more than thirty years—notwithstanding many efforts, this step has never been repeated. As every inhabitant knows, only a fraction of the prostitution of Bremen utilizes this street,—altogether insufficient for the existing volume of the traffic.” Helenenstrasse is therefore perhaps the strongest argument in Europe against the feasibility of the policy in support of which it is mistakenly cited.

In passing, it is interesting and significant to observe that the impracticability of effective segregation is not new. Medieval regulation also failed in its aims. The researches of Bloch leave absolutely no doubt on this point. “Despite the fact,” he says, “that municipal authorities endeavoured to confine prostitution to municipally controlled and administered bordells and legislated severely against prostitutes living elsewhere, nevertheless the number of scattered prostitutes was very large,—perhaps larger than of those living in houses. In contrast with the bordell women, they were called clandestine,—but this does not mean that there was the least doubt as to their trade.” At times the clandestines—in the sense here indicated—lived on the very streets on

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which bordells were situated, yet refused to be coerced into them. A policy that failed in the relatively small medieval town, where it encountered no hostile sentiment and could ride rough-shod over personal privilege, can hardly be successfully carried out in a modern metropolis, in the face of strong ethical objection and exaggerated sensitiveness at any invasion of individual liberty,—not to mention the complications created by mere quantitative increase.

If the table—to which we now return—is examined from an historic point of view, it becomes clear that the bordell is rapidly losing ground. The bordell is at this date illegal in Great Britain, Switzerland (except Geneva), Holland, Denmark, Norway, and the German Empire, though in many German towns, as I have pointed out, a subterfuge exists; in almost all these countries it was once an acknowledged institution. Neither Paris, Vienna, Stuttgart, nor Frankfort will authorize the opening of a new bordell; they all look forward to a time in the near future when those still surviving will succumb to adverse sentiment and decreasing receipts,—the causes of which I shall shortly explain. Hamburg, where the police still strongly favour the bordell and utilize all their tremendous power in its favour, has seen the total number of inmates decrease from 1,050 in 1876 to 780 in 1910. Budapest, like Hamburg, prefers the bordell, and once maintained from 50 to 60 bordells, with 600 to 700 women; only 13, with 250 inmates, survive, despite the encouraging

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attitude of the authorities. In Brussels there were 7 bordells, containing 66 women, in 1890; six houses, with 37 inmates, in 1910. But most striking of all are the Paris records: with 235 bordells, containing 1,450 women in 1841 (population 1,200,000), as recently as 1888 there were 69 tolerated houses, with 772 inmates; in 1903 there remained 47 houses, with 387 inmates: population had meanwhile increased to 2,800,000. At the last named date, 6,031 inscribed women were living in scattered lodgings. The rest of France shows the same development in progress: Amiens had 13 houses of prostitution in 1880, none in 1895; Havre 34 in 1875, 9 in 1895; 125 in Marseilles in 1873 were reduced to 12 in 1899; 60 at Bordeaux (1869) to 16 in 1906. At Rome, the 22 authorized houses were said at the time of my visit to contain some 125 inmates; none had its full authorized complement: a huge establishment, with a capacity of 18, had 5 inmates.

The causes responsible for the decay of the bordell will explain why the bordell cannot be re-introduced, even though it were an efficacious device for the maintenance of public order and decency and for the diminution of disease,—points that still remain to be discussed. The bordell prospered as long as its management was uncontrolled; its decay set in the moment public sentiment required the slightest deference to the dictates of humanity. For, in the first place, the bordell can be tenanted only through the exertions of the trafficker. Young and attractive

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inmates are desired,—innocent, or, at least, beginners. Prior to their suppression in Zurich, 60% of the inmates of its 18 bordells had not completed their seventeenth year! The fact that there are more bordells in Hamburg than experience elsewhere would lead us to expect may be due not only to police preference, but to the fact that inscribed minors are permitted—perhaps even forced—to enter them. Now these eagerly desired youthful recruits are procurable as a rule only through traffickers; the bordell therefore prospers only where trafficking prospers. In the heyday of this infamous business, the houses of Paris were filled with girls enticed from their homes in the departments of the Somme and the Rhône, or Paris itself; the bordells of Vienna and Budapest with victims from Posen and Galicia. The local traffic in young girls, as I have already explained, has now been largely broken up; the European police, responding to the quick and vigorous development of humane interest characteristic of recent years, have taken steps which practically deprive the bordell of youth,—its most attractive asset. A mistress whose memory goes back to a less scrupulous era is in no doubt as to the main causes of the hard times on which her lot has now fallen: “Something young and fresh is nowadays no longer to be had,” remarked the candid madame of a Budapest bordell.

An outside proof that the bordell is necessarily associated with trafficking in girls may not be amiss

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in this connection. The great European cities can at the most be utilized as way stations on the journey to Rio Janeiro or Buenos Aires; in the latter city, 192 well-known bordells, with 1,022 inmates of different nationalities, are found. The victims whose obscure trail is traceable from Galicia through Vienna and Berlin to Hamburg, Rotterdam, or London, are nowadays discovered in the brothels of a South American city, instead of in those of Hamburg, Brussels, or Paris.

The reduced scope within which madame and trafficker operate in the European bordell makes it all the more important to do the best possible under the circumstances,—to make as attractive a showing as possible and to keep the women moving: hence, redoubled efforts to fill orders for women of the various types required by the different establishments. An inspection of police records discloses the fact that women remain on the average only a few weeks in a given house. Through the 13 bordells of Teplitz-Schönau, Bohemia, between January 1, 1909, and July 30, 1910, 550 inmates passed: one of the bordells, operating with two girls, had 65 different inmates during this period of 18 months. In the white slave bureau of one large European police establishment, I was shown a huge list of persons suspected or already convicted of trafficking in girls. The traffic in youth has been hampered; but a traffic in women still remains—a traffic which, though it will not restore prosperity to the bordell, is absolutely

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dependent for its existence on the prolonged life of the house of prostitution. Bloch's investigations in this connection are tersely summarized: "Without bordells, no white slave traffic."

A notorious instance of the manner in which alone a bordell can be successfully conducted is furnished by the so-called "Riehl case" uncovered in Vienna in 1906. The woman conducted an establishment containing 20 girls and paid an annual rental of 10,000 kronen (£400). A large number of persons were employed to procure recruits,—old women and young boys, offering good places in domestic service to young girls, who, having come to Vienna, found difficulty in securing work. Suspicion was never aroused in the victim's mind, for the door bore a plate marked "Riehl's Dressmaking Salon." The behaviour of the madame varied: now, she made no concealment of the nature of her business; again, she hired the newcomer as a servant, certain that before long she would yield to the demoralization of the place. Minors were registered at police headquarters as of full age, or forged documents testified to the consent of the parents or guardians. The girls lived as prisoners, so cowed by the treatment they received and so utterly demoralized by their way of life that they made no effort to recover their freedom even if opportunity offered.

Recent alterations in the police regulations seek to protect the bordell women against exploitation; but no amount of menace or oversight suffices to procure

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the enforcement of the simplest precautionary regulations. One of the most disgusting aspects of bordell life is the forced consumption of alcohol; the customer on entering is plied with drink, and of course the inmates share; conviviality is procured by general and continuous indulgence in beer, wine, and champagne. In order to prevent complete physical disorganization on the part of the women and to restrict the commerce in volume, the sale or use of liquor is forbidden in the bordells of Brussels, Altona, Hamburg, Stuttgart, Bremen, and other cities. But it goes on openly and flagrantly, nevertheless. An Altona madame candidly admitted to me the reason: "The business couldn't be carried on otherwise."

The fact is that if the police wish or are willing to maintain bordells, they cannot refuse to tolerate some of the conditions on which alone it is worth while for the keepers to conduct them. In Vienna, Budapest, Dresden, and elsewhere, minute specifications attempt to regulate the charges which may be levied on the girls by the keepers. But the girl is completely exploited nevertheless: for exorbitant prices are charged for necessities, and extras—prohibited or not—usually swallow the remainder. In the most wretched establishments of Altona, the minimum charge for board and lodging is reckoned at 75 marks a week; at Stockholm, a girl pays 5 crowns a day for board. The Dresden police name 8 to 15 marks a day—the latter sum itself enough to

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procure accommodations at a first-rate hotel ; the girl is actually charged 15 to 18, and if anything is left to her credit it is absorbed by way of paying for cosmetics, clothes, shoes, etc. The kind landlady is the intermediary between girls and merchants in a series of transactions which somehow always leave the girls penniless and amply reimburse the landlady for her intervention. Frau Scheven related to me the story of a young girl for whom she had procured admission to a hospital, where in the course of her recovery the girl decided to abandon her licentious life. When her benefactress applied to the bordell for her clothes, she was informed that there were none ; and only threats of calling the police extorted a few meagre rags—the sole asset after months of service, despite the minute prescriptions of the authorities, aiming to check the rapacity of the keepers.

At Vienna a more serious effort in this direction is now made. I possess transcripts of two reports made on a Vienna bordell by the morals bureau. The inspecting party included the division chief, the head of the medical service, and one or two others of lower rank. The roll was called and every inmate accounted for ; thereupon the inmates were separately interviewed. On the first inspection, the women unanimously declared and proved, that they had been swindled out of all their earnings, even including such incidental gratuities as they had received from visitors ; that their food was inedible, and that bed-

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linen was changed only once a month. The authorities thereupon threatened the closing of the establishment unless conditions were at once improved. Revised regulations became effective before the next inspection, at which time it appeared that each inmate paid something over one pound a day for board and lodging (26 kronen), beyond which their earnings belonged to them; the earnings of the preceding night ran from £2 (50 kronen) to £6 (150 kronen) apiece. The food had improved in quality, but the condition of the linen and towels still left much to be desired. Three of the inmates were badly bruised. The keeper was again warned that sanitary conditions must be improved. To hinder the crassest exploitation and to secure the most elemental cleanliness, the highest officials,—physicians and jurists of university training—had to make a personal inspection; even then, 6 brothels, containing from 50 to 60 women, could not be kept entirely acceptable. Hence, though rules against exploitation and in favour of decency are promulgated, successful efforts to enforce them are practically nowhere encountered.

Though its heyday is over, the bordell can, however, still be made to pay, if the authorities are disposed to condone exploitation. At the bare suggestion that a new bordell street would be created in Frankfort, 15 houses in the proposed street were promptly bought up at extravagant prices; the houses in Helenenstrasse, Bremen, valued at 327,000 marks, cost their present owner 585,000 marks. Paris

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transactions are naturally on a far higher scale: 200,000 and 300,000 francs have changed hands for a single business. Another establishment earned 70,000 francs for its owners in a single year. Like all profitable enterprise in this generation, efficiency and economy have been still more highly developed through organization; of 31 immoral resorts "situated in the zone of the Champs-Elysées, near the Arc, the majority belong to the same managers."

Fortunately other causes conspire with the suppression of the white slave traffic and increased control over the internal management of the bordell to bring about its decline. Taste has changed. "The public," says M. Lépine, "has lost its appetite for officially designated resorts, with their large numbers, closed shutters, coloured windows, visited nowadays usually by strangers, provincials, and soldiers; the trade inclines rather to houses of rendezvous, where greater discretion is practised and where, with a little imagination, one is conscious of an air of adventure." The women, too, prefer the reckless abandon of the streets, the cafés, and the theatres. Under these circumstances, the girls who are still found in bordells are as a rule the failures and the wrecks, with too little spirit or attractiveness to make an independent success.

In accounting for the decline of the bordell, I have inevitably touched on the objections to be urged against its further tolerance. The European bordell has in the first place declined because its recruitment

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through young victims has been largely broken up, and because the most flagrant forms of exploitation no longer prevail entirely unhindered. But other equally good reasons for the suppression of the bordell may be cited. The bordell is a veritable school of abnormality. The inmates of the Paris bordells compete with one another in forcing upon the youthful customer the knowledge of unnatural and artificial forms of sexual gratification. Similar excesses are practised elsewhere,—indeed wherever the bordell is found. The degradation of the bordell inmate is total; her rehabilitation well-nigh impossible. She fares far worse than the street-walker, who sometimes returns to an orderly manner of life.

Finally, cautious as the keeper may be not to deserve the suspicion of the police, the bordells, especially those of lower grade, are everywhere in close touch with certain classes of criminals. To the low class resort the law-breaker betakes himself; there the outlaw receives sympathy and shelter. It is occasionally alleged that the reverse is true. But the Dutch police, who have tried and discarded the bordell system and who, like other police with the same experience, would under no conditions countenance its reintroduction, are of a different mind. “Did the bordell keepers assist you in the detection of criminals?” I asked. “Oh, yes,” was the reply, “after they realized that we already knew.”

So much for the inner side of the bordell; it

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remains to inquire into its influence on external order.

It is claimed that the bordell, by providing an ascertainable, if not well known, resort for immoral women and their customers removes scandal and suggestion from the public highways. Let us consider the argument in the light of the table already given. The bordell can at most interfere with the promenading and soliciting of the women interned in it. The existence of 47 bordells, with 387 inmates, in Paris does not interfere with the promenading of perhaps 50,000 unregistered prostitutes or of 6,000 registered, but scattered, prostitutes; the existence at Brussels of six brothels, with 37 inmates, does not restrain 145 other registered prostitutes, resident elsewhere, nor the several thousand non-registered women who live where they please. The facts thus show that the pressure on the streets is nowhere relieved by the herding of a few women—and the herding of more is impracticable. Between Paris and Berlin there is no difference observable: the former has bordells, the latter lacks them. Zurich without bordells is externally much more orderly than Geneva with them. If the bordell played any part in the maintenance of decent street conditions, cities like Berlin, Munich, and Zurich—where there are no bordells—would be worse off than Paris, Hamburg, or Stuttgart; as a matter of fact, the cities in question are not worse and they neither require nor possess any unusual machinery.

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Moreover: the bordell does not necessarily, or usually remove its own inmates from the streets! The women cannot be caged; current tendency is in just the reverse direction. The Budapest authorities, for example, regard with horror the "inhumanity" of the Bremen restrictions. Bordell women are becoming more and more free to come and go as they please. Also, when business lags—as indeed it tends to do—they go forth to find patrons on the streets,—for grist must be provided for the ever active mill. At Dresden, the courteous official who escorted me through the bordells, explained that it would be useless to start on our round of visits before midnight,—for the women would all be "out." I walked through several of the 32 streets on which bordells exist, in the earlier hours of the evening; from some houses the inmates were just emerging in striking costumes, to others women were already returning, accompanied by the prey picked up on the streets, in the cafés, and elsewhere. The bordell does not, therefore, reduce street scandal even to the extent of the number of its inmates.

Meanwhile, though the bordell does not relieve the general thoroughfares, it tends strongly to local scandal and disorder in its own quarter. The eight bordell streets of Hamburg lie for the most part close to busy streets in the heart of the city. The pedestrian who in the afternoon inadvertently stumbles into the Schwiegergasse, is greeted from window, vestibule, and doorstep by a volley of invitations;

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scantly clad women solicit his attention from the street door in broad daylight. The dark narrow passages in Cologne, notorious for brothels, are filled with a procession of reckless boys and half-intoxicated men on the verge of surrender to temptation. A beating rain did not empty the bordell streets of Altona, or drive indoors the lightly clad women who called out the superior attractions of their competing establishments. A recent writer, describing conditions in Frankfort, remarks that "the presence of the policeman does not hinder even unmistakable and utterly shameless prostitution of minors in the Rosen-gasse and Metzgergasse,"—two of the streets in which bordells are found. In a few instances only,—Budapest and Rome, for example, I encountered no street disorder in the vicinity of recognized houses of prostitution.

Nor can it even be claimed for the bordell that it lessens other forms of prostitution. Side by side with it flourish the "Animierkneipe," advertising "weekly change of service," the cabaret, dance hall, café, cheap lodging-house, the concealed bordell, the *rendezvous*, the *maison de passe*,—all engaged, as the bordell is engaged, not in satisfying normal desire, but in arousing, inflaming, and perverting lust, while at the same time thrusting upon the victim's attention accessible means for its gratification. Rome possesses besides 20-odd authorized bordells, 235—perhaps more—unauthorized houses of prostitution, well known to the police. I was escorted by an

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officer to houses of both types and observed no difference beyond a somewhat greater nervousness on the part of the keepers of the latter; Geneva abounds in irregular lodging-houses and *maisons de passe*, lists of which have been even furnished by anti-regulationists to the police, without result. At Paris, with bordells—as in London, without them—every imaginable subterfuge is employed in the effort to carry on surreptitious prostitution: chambers are advertised, foreign language lessons announced, art objects, pearls, dressmaking, massage, bibelots employed as baits for the curious. The bordell does not really affect this situation at all.

Discovering, however, that bordell prostitution is disappearing, the police of Paris and Budapest are endeavouring to maintain their grip by authorizing or permitting *rendezvous* establishments. At Paris, these establishments may be opened without police permit and will not be disturbed as long as they comply with a few simple police orders, e.g., admitting only inscribed women or at least women regularly examined by a physician agreeable to the police. They have increased in number from 64, with 235 women regularly in attendance, in 1900, to 243, with 770 women attached, in 1908. A somewhat similar policy is pursued in Budapest, where the police tolerate without interference, the “*hotel garni*” with 20 to 50 rooms, which admits only inscribed women on showing their certificates, sells no alcoholic beverages, provides every room with water, towels,

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etc., and allows no guest to remain longer than twelve hours ; these hotels are regularly visited and inspected by the authorities. Similarly, the *maison de passe* is recognized. But police recognition of authorized places of *rendezvous* does not diminish in any wise the number of hotels surreptitiously utilized for the same purpose. In Budapest, despite the vigorous police policy, there are as many unauthorized hotels engaged in the business as there have ever been ; and Paris is notorious for the abundance of uncontrolled resorts. The explanation is easy. Neither the girl nor her customer desires to submit to the stigma and notoriety involved in resorting to an authorized house of any kind ; the same motive that leads them to avoid the bordell leads them to evade the authorized *rendezvous*.

Could the futility and impossibility of regulation be more clearly exhibited ? The police of Paris, Budapest, and Vienna offer the woman every facility for the easy and unimpeded prosecution of her trade, provided only she will submit to inscription : bordells, if she pleases ; a private lodging, if she prefers ; or, if neither of these is agreeable, hotels discreetly conducted in accessible localities, where the police will never trouble her or her customers. In return, the authorities ask only that she register her name, nominally submit to a few restrictions, and undergo medical examination at intervals. Yet not even on these favourable terms can a considerable body of women be induced to submit.

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There is perhaps another point of view from which the bordell must be considered. Whatever opinion one may form as to the ultimate fate of prostitution in civilized society, unquestionably it must, like certain other social evils, be reckoned with as a phenomenon to be dealt with as part of the day's work. I have pointed out that European opinion is moving towards the conclusion that, for the present, third party exploitation, overt and offensive manifestation, are aspects with which our social and governmental instrumentalities are most likely to cope effectively. Clearly, however, we are then left with the prostitute herself on our hands,—with the prostitute, I mean, who is vicious, not criminal, leading her own life, reprehensible of course, but without unnecessary offence to others. In reference to this type of woman the first question that arises is this: where shall she live? For even the inconspicuous and well-behaved prostitute is a peril, inasmuch as she is a constant and inevitable source of moral contagion,—particularly objectionable, of course, in close contact with children and working-girls. The bordell represents one effort to solve the domicile problem, by isolation, just as infectious disease is isolated. The analogy to disease fails, however, for two reasons: first, because isolation is usually resisted by the prostitute; second, because the prominence that vice obtains through bordells—be they many or few—far outweighs any good attainable through the forced isolation of those who can be interned. Other positive efforts to

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regulate the domicile of the prostitute have also been made,—so far, without success.

Budapest approaches the problem differently. There bordells house a fair number; the rest are free to live where they please, provided they give no offence. Authorized places of *rendezvous* are provided as above stated, in the hope that women will thus be induced to transact business elsewhere than in their homes. In the event, however, that a woman persists in bringing customers to her apartment, decent tenants are in position to protect themselves through the following enactment: “Any tenant has the right to forbid a prostitute to continue to occupy rooms in the house where he lives, if, before he himself moved in, he was not told that prostitutes live in the same house; should prostitutes move in subsequently, the tenant may dislodge them by complaining to the police. The landlord is obligated to tell prospective tenants the truth without being asked. If the landlord on the tenant’s demand does not evict a prostitute, the tenant may break the lease and demand damages. These provisions apply also to apartments used for *rendezvous*. ”

How far this excellent law has affected the situation it is difficult to tell. The poor can easily be quieted by favours or concessions. I was therefore not surprised to see children playing in the court-yard and on the steps of houses in Budapest, to which prostitutes could be observed to be returning in the company of men. Neither regulation in general nor

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the bordell in particular has thus succeeded in solving the dwelling problem. This has been frankly recognised in the revised Vienna regulations which abandon all effort to deal with the question; paragraph 12, previously quoted, enjoining the least possible interference with the free choice of a dwelling place on the part of a prostitute who lives alone.

I have throughout this chapter considered the bordell mainly as a factor in the programme of regulation. It is from the standpoint of order evidently futile. But from another standpoint it is worse than futile. The bordell gives to sexual vice its most prominent advertisement. By working on the curiosity of the young and of strangers—its main patrons, by the way—it substantially increases demand; by requiring constant service of its inmates, it virtually increases supply. Finally, the bordell is the most flagrant instance of exploitation for the benefit of third parties, which modern feeling and legislation are emphatically determined to prevent. For the keeper's profit men waste their substance and are—to what extent the ensuing chapter will tell—infected with disease; while women are dragged down to the lowest depths of degradation and excess. The bordell is therefore something more than futile, something more than inhuman.

CHAPTER VII

REGULATION AND DISEASE

Regulation nowadays concerned chiefly with sanitation.—Variety of methods employed.—Berlin system.—Equipment and procedure.—Equipment in Paris, Vienna, Brussels, etc.—Quality of medical inspection in Berlin,—in Budapest,—in other cities,—in Paris.—Effect of medical inspection on male indulgence.—Peculiar characteristics of syphilis,—of gonorrhœa.—Amount of disease detected among inscribed women.—Clinical methods inaccurate.—Deceptions practised.—Flux in inspected body.—Failures to report.—Periods of hospital detention brief.—Minors, usually non-inscribed most infectious.—Inspection and disease among clandestines.—System conceded to have accomplished nothing hitherto.—Its possibilities remain to be proved.—No basis for favourable expectation.—Insuperable difficulties in the way of successful medical regulation.—Does isolation of even a small number of infected women achieve some good?—Amount of disease depends on amount of irregular intercourse.—The bordell and disease.—Absurdity of linking disease and crime.—System illogical and inequitable.

THE preceding chapters have presumably shown that regulation is not necessary to the maintenance of public order; indeed, even the pretence that it is needed for that purpose is now in a fair way to be generally discarded. Prostitution may be described as perhaps equally prominent in Berlin and London,—one a regulated, the other a non-regulated city. Regulation is therefore not a factor that, from this point of view, needs to be taken into account. Moreover, as we shall see later, the few cities in which the underworld is distinctly inconspicuous are with-

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out regulation. As far as order goes, therefore, it is impossible to make out a case favourable to regulation.

As the argument in behalf of regulation on the score of public decency loses force, the maintenance of the system depends more and more on the assertion of its sanitary efficacy; and on this aspect increasing emphasis is laid. A prominent official of the Berlin morals police, tracing the history of the institution for me, remarked: "The historical function of the *Sittenpolizei* was to deal with decency; but under present conditions the sanitary object has come to the fore. They should certainly now be called the health police." The recent reconstruction of the Vienna system was undertaken in execution of just such a programme. The main effort to save regulation through readjustment to modern knowledge has thus been made on the sanitary side. In the present chapter I shall endeavour to describe regulation as a sanitary policy and to determine what it achieves in that direction.

The diversity previously commented on in connection with regulation prevails also in respect to its sanitary details. Between the worst and the best organized systems on the medical side, there is perhaps an even greater discrepancy than between the worst and the best systems on the side of police methods. Important variations will be noted in reference to the method of inspection, its quality, its frequency, the disposition made of disease when dis-

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covered, the payment of physicians, and the extent to which free choice of physicians is still allowed.

Berlin, where the bureau has been completely reorganized in recent years, may serve as a point of departure. Women under control are required to report to police headquarters for examination twice weekly, if under 24 years of age; once a week, if between 24 and 34 years of age; and fortnightly, if over 34. Clandestine prostitutes may be subjected to compulsory examination at the discretion of the bureau chief,—the examination being conducted by a woman physician attached to the division for this purpose. By special request, an examination by an approved private physician may be substituted. In either event, the woman is herself at no expense for the examination.

A staff of eight police physicians and four microscopists are occupied with medical inspection, of whom four are on duty at one time; the work goes on daily, except Sunday, from nine to twelve o'clock and from twelve to three. The examination consists of a clinical inspection and the use of the speculum. For the detection of gonorrhœa, microscopic examinations of the secretions are made fortnightly in case of women under 34; monthly, in case of older women. Female assistants are provided for this work; the word of the assistant is sufficient in case the microscopic preparation is found to be negative; the physician must by his own observation confirm a positive result. The medical policy of the

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police department is directed by a physician who holds the rank of commissary, the sole instance in all Europe of expert medical control of what is admittedly a sanitary matter.

Inscribed women discovered to be infected are confined under duress in a municipal hospital, on the theory that, being professional prostitutes, who can maintain themselves only by plying their business, they must be interned in order that the carrying on of their business may be temporarily suspended. In very rare cases, however, even when found to be diseased, they are permitted to retain their freedom provided an approved physician makes himself responsible for their systematic treatment, and provided, further, that there is reliable evidence to show the possession of resources which will enable the women in question to keep their engagement to refrain from plying their vocation for the time being.

At both hospital and police headquarters in Berlin conscientious and intelligent efforts have been made to provide satisfactory arrangements. Registered and non-registered women are scrupulously separated at every stage, on the ground that the latter group may contain young, innocent or, at least, not yet hardened persons. Premises not adapted to this end have, therefore, been extensively remodelled. The rooms utilized for the medical examinations at the police headquarters are light and equipped with a modern examining-chair, hot and cold water, and electric light; the microscopic-room has the necessary

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equipment for clean and accurate work. The hospital, though old and small, has been latterly renovated and its staff reorganized. The division possesses an excellent laboratory manned with trained assistants; and it is properly equipped with microscopes, culture-ovens, animals for experimental purposes, etc. Patients are examined separately in a clean, well-lighted room, containing all necessary paraphernalia.

In many other towns, two examinations per week for the youngest class of inscribed prostitutes are also required; but by no means everywhere. Examination and treatment are not always free. Dresden requires every inscribed woman to contribute to a sick insurance fund, paying four marks as initiation fee, and two and a half marks weekly dues; she is thereby entitled to 13 weeks' hospital care if ill. In Bremen, the women bear the expense of the medical inspection; Brussels permits examination to take place in the rooms of the women on payment of five francs monthly; Stockholm allows a woman to appear for examination privately on payment of a crown; in Geneva, the girls pay two francs for each examination; in Rome the bordell stands the expense, and also, subject to the approval of the health authorities, selects the physician. In Vienna, girls were formerly required to pay one crown if examined at headquarters, two crowns if examined in their rooms; but since January 1912, a system of free examination has been gradually introduced. It is universally

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conceded that abuses creep in wherever the physician derives his income in whole or in part from the women or the bordells.

Much greater and more significant diversity exists in respect to the equipment of the examining-rooms at police headquarters and the method of conducting the examinations. Facilities as good as those of Berlin exist only in Dresden, Bremen, and Budapest. In the last named city, twenty-two physicians, eight of whom come daily, are employed.

In all other cities the appointments are meagre and antiquated, conduced to mistaken diagnosis, on the part of even honest physicians, and to fraud, on the part of the women. In Paris, for example, bordell women are examined in their own quarters, where no facilities for good work can possibly exist, where imposition is easily practised by the women, and where the environment is apt to interfere with the seriousness of the occasion. Inscribed Parisian prostitutes living at large and non-inscribed women who are arrested, are examined at police headquarters, where the equipment consists of two rude chairs, an ancient sterilizer in which a few specula are boiling, and a glass of sterilized water in which the spatulæ used in holding down the tongue are hastily dipped from time to time.

In Vienna, as in Paris, the medical examination is still conducted either at headquarters or at the dwellings of the women, though the tendency is in the direction of concentrating work at the former. The

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Viennese accommodations and facilities are distinctly better than those of Paris, even though the establishment does not yet boast a microscope. At Hamburg, girls arrested are clinically examined at headquarters; inscribed women are examined in the bordells,—a convenient bordell being selected in each neighbourhood,—but beyond a deal table, and the spoon and speculum which each girl brings, no equipment whatever is provided. Elsewhere facilities answer the same general description.

Of hospitals provided for the reception of diseased women, Budapest possesses perhaps the best that I visited anywhere; the service contains three hundred beds, excellent laboratories, operating and treatment rooms of the most modern pattern. Cologne provides a satisfactory, renovated building, with one hundred and twenty beds, equally divided between controlled and uncontrolled women. The appointments are modern in character, attractive in appearance. Hamburg possesses similar facilities, with one hundred and thirteen beds. Stockholm has sixty beds in an attractive building situated in a pleasant garden. In most of these establishments a deliberate effort is nowadays made to efface the impression of enforced detention. The Stockholm clinic, among others, has no locked doors or barred windows, in consequence of which the girls are rarely refractory.

Conditions are less favourable in Vienna, where there is no special hospital for diseased prostitutes; they must be distributed between the three skin

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clinics of the city. Even so, there is such a scarcity of beds that they are often kept waiting in prison several days before they can be placed and then are dismissed too soon. But for really disgraceful accommodations one must cite Paris. The infected Parisian prostitute is interned in a medieval prison—St. Lazare—a name, at the mere sound of which, the most hardened offender blanches with terror. In this bleak dungeon, young and old sleep in the same huge dormitory, meet in the same dark corridors, and get their brief airing in the same narrow court-yard.

The quality of the examination varies widely. At Berlin, typical of the four best, clinical inspection is made of the mouth, hands, feet, and other external surfaces; the genitalia are invariably explored with the speculum; microscopic examination for gonococci are made fortnightly, or oftener in suspicious cases. The magnitude of the work may be roughly indicated. It would be nearer the truth to estimate that each physician makes from 1,500 to 2,000 clinical examinations monthly. In August 1911, each of the four assistants made 2,646 microscopic examinations for gonococci,—an average of 98 for each working-day. It is estimated that on the average three minutes are available for the examination: but as this takes no account of time lost, the actual duration of the operation is much less. Women sent to the hospital are discharged only after three successive

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negative microscopic findings, followed by an examination at police headquarters confirming this result.

The Budapest system is modelled on that in use in Berlin. Inscribed prostitutes are card-indexed at police headquarters, according to the days of the week on which they are scheduled for examination. Their cards are removed as they appear; the cards remaining over at the close of the day form thus a list of those who have failed to keep their appointment. Every girl carries her own spatula. The examination does not materially differ from the Berlin pattern, above described, except that the microscope is utilized only whenever suspicion is aroused,—not at regular intervals regardless of suspicion. Between 600 and 700 girls are examined daily between the hours of 9 and 2.

In the remaining cities, the examination is still less thorough. At Hamburg, for example, the women convene in a bordell, as many as can be accommodated crowding into the room in which batches are examined. The physician takes a hasty look into their mouths in succession, and then glances at the genitalia, with only occasional use of the speculum. His hands are not cleansed before he proceeds from one girl to the next. Only a few seconds are devoted to each case. In Cologne it is frankly admitted that the medical examination is not "intensive." In Rome the examining physician assured me that "if the woman is sound, he (I) could tell it at the first

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glance; he is more circumspect, if the case is suspicious."

The Paris examination deserves a paragraph to itself. All day long a dismal succession of groups of abandoned women file into the rudely-equipped rooms in which two physicians ply their repellent task perfunctorily. A line is formed; with open jaws and protruding tongue they march rapidly past; the doctor uses one spatula for all, wiping it hastily on a soiled towel from time to time. This finished, the same group in quick succession ascends two surgical chairs to permit a cursory vaginal inspection; the physician, stationing himself between them, loses no time; he switches back and forth as rapidly as the women can get up and down,—indulging in good-humoured and sometimes unseemly jocularity as the work proceeds. Of the two physicians employed on the occasion of one of my visits, one used a rubber glove, the other a rubber finger,—in both cases the same for all. On one occasion I observed one of the physicians examine 25 or 30 girls without changing, washing, or wiping the rubber fingers he wore; and a number of those examined were adjudged "diseased." The speculum was rarely used. In one instance, pressure by the finger on the urethra discharged an abundant suspicious secretion; the same finger, unwashed, was used in examining the next case. The inspections consumed from 15 to 30 seconds each.

The printed accounts give the impression that the

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medical inspections are more deliberately carried on. Bettmann, for example, publishes a table in which it is stated that each examination averages 1½ minutes in Paris, 5 minutes in Vienna; to the same effect is Blaschko's calculation. I feel sure, however, that these and other similar estimates were arrived at by dividing the entire time at the disposal of the physicians by the number of women to be inspected,—a fallacious method of getting at the facts. The truth can be learned only by observation registered on the spot.

What is the value of each of the types of medical inspection above described? The question must be sub-divided for answer; we must inquire as to the general effect of sanitary inspection of women on participation in irregular sexual indulgence on the part of men; as to the utility of each of the methods in reference to the women subjected to them, respectively; as to the effect of police control of inscribed women on the sanitary habits of the non-inscribed; finally, as to the incidence of venereal disease, its fluctuations and their relation to sanitary control of prostitutes.

The existence of regulation in any country amounts to a concession by the state that a vast volume of promiscuous intercourse is to be accepted as a fact; that for this purpose professional prostitution is recognized and, despite verbal quibbles, authorized. For the prosecution of what is thus treated as an essential and in a sense legitimate traffic, these

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women obtain a privileged position on the streets or in quarters notorious for the use to which they are put. The prominence thus given to immorality operates psychologically as an incitement to it. The complacent attitude towards indulgence implied in the mild effort made by the state to remove or reduce its dangers indubitably diminishes internal inhibition on the part of the male. Nothing is more certain in the domain of effort and ethics than that good conduct is largely the response of the individual to the expectation of society: men "can because they think they can." Regulation implies the absence of any expectation of male self-restraint; it is society's tacit assent to laxity. Nay more, it is an invitation to laxity in so far as it deprives dissipation of one of its terrors, for the existence of medical regulation must be interpreted as implying a certain degree of efficacy in the attainment of its object.

The utility of regulation is thus opened to serious question not only on ethical but on hygienic grounds. For the present, I take no position as to the hygienic condition of the woman examined; I am looking at the problem more broadly. Regulation tends to increase miscellaneous sexual congress. Irregularity craves variety; and infection is the wellnigh inevitable penalty of sexual promiscuity. To whatever extent regulation tends to increase irregular commerce by diminishing individual and social resistance, to that extent it tends to increase the amount of venereal disease. Therefore, even if regulation

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should be found to be more or less effective, its sanitary achievement has to be offset against the increased amount of congress to which it indubitably conduces.

It is occasionally denied that the mere existence of regulation tends to develop recklessness on the basis of assumed security. Blaschko, for example, a distinguished authority, while conceding that here and there an individual is misled, does not believe that the problem as a whole is appreciably affected. But Blaschko starts with the assumption that things have always been as they are and will never be much different. My own impressions are, however, distinctly opposed to Blaschko's view: I have, I think, observed unmistakable evidence that regulation is itself one of the factors in demoralization, by reason of the prominence it gives to prostitution, the undermining of the forces that make for good conduct, and the illusions of safety that it creates. I happened, for example, to call on one of the most eminent of French dermatologists at the time when he was consulted by a wealthy Mexican gentleman who was passing the winter in the gay capital. A prompt diagnosis of syphilis was made. "Impossible!" rejoined the perturbed patient. "I have had nothing to do with any woman except an inmate of a well-known resort of high character (he named the house and street), who possesses a certificate of good health. For this security I pay 100 francs." "You could purchase equal security much cheaper on the streets,"

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replied the French savant. Communications of precisely the same tenor have been made to me by intelligent men—foreigners as well as Americans—in Paris, Berlin, Rome, and Stockholm. Experienced physicians can be quoted in this connection. “The public is fooled. The laity is led to believe that it is possible to distinguish diseased from healthy prostitutes. As all the diseased ones are sent to the hospital, relations with controlled prostitutes are free from danger. This is the popular conclusion.” The official rules themselves practically concede the point. For the police are now at pains to disavow the natural consequence of their own policy. The Paris regulations state in bold type that “the card delivered to inscribed women must not be regarded as an incentive to debauch ;” and the public is commonly warned that the medical examination is not to be interpreted as a guarantee of safety.

Regulation may therefore be regarded as calculated to increase the volume of irregular intercourse : what does it accomplish by way of rendering such intercourse harmless ?

Medical control is concerned chiefly with two diseases, syphilis and gonorrhœa. The salient points in connection with these diseases are, for our purposes, these. Both are contracted early in the prostitute’s career. Syphilis is a protracted affair, but the girl who has run the entire gamut of a single infection is subsequently immune ; she does not herself freshly contract the disease. She may, of course, at any

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time, act as a carrier, receiving the germ from one patron and conveying it to another, even while herself not becoming actively infected. Having herself, however, contracted the disease, she is highly infectious during the primary stage, calculable in weeks, and during the secondary stage, usually occupying from two to three years, but sometimes lasting from five to ten. During this time, fresh manifestations, indicative of danger, appear from time to time; but infection may also be communicated when no signs of disease are visible. It is very important at the very outset to get clear notions as to these points. Syphilis is highly infectious during the entire duration of the primary local lesion. In the secondary stage, it is highly infectious when florid; probably not infectious, when really latent;—that is, when the disease is active only in liver, brain, and other internal organs or tissues. But the difficulty is that syphilis is often regarded as latent when it is actually florid,—the signs escaping observation. At any time, infection may take place not only in sexual intercourse, but also through the mouth, saliva, and other secretions and contacts. Relapses are also very common. Often the symptoms are almost unnoticeable, at times escaping the vigilance of a careful observer. The clinical history of a syphilitic woman is by no means a sufficient assurance that she is no longer a source of peril to her patrons.

Gonorrhœa is wholly incalculable. No matter how frequent its attacks, no immunity results. Prosti-

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tutes, it is true, appear to contract acute infections less often as they grow older; but this is probably due, not to an acquired immunity, but to toughening of the tissues and decreased exposure to infection through falling off in business. Clinical appearances as to the presence or cure of the disease are entirely unreliable. The elements on which such judgments rest are, the colour, odour, and consistency of the secretions. It is doubtful whether even a microscopical examination is a decisive test. Unquestionably the microscope can note the decrease in the number of gonococci; but it is not yet proved that their virulence diminishes in the same ratio. Moreover, a secretion relatively poor in gonococci may still transmit infection, even though the secretion is so poor in them that successive slides fail to indicate their presence. Finally, gonococci of diminished virulence quickly recover their full virulence when transferred to a favourable membrane.

What does regulation, as we have described it, accomplish, first, with those examined, next, with respect to the general situation? It needs little argument to show that the crude clinical procedures of which Paris is typical achieve little in the way of isolating infected foci. In ascertaining clinical conditions the commonest precautions are by no means invariably employed. One physician examined in my presence 30 girls, using the speculum only three or four times; all were pronounced well; his neighbour, who used the speculum regularly, found a few

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infected cases, such as the former must have missed. The examining physicians realize the slipshod nature of their work. A suspicious secretion having been noted by a bystander in the case of a woman pronounced "well," the physician was asked how he knew. He shrugged his shoulders: "I don't know; but there's no way to tell. If we kept cases like that, we'd keep over half." Another said, "Accurate diagnosis is impossible; under these conditions, gonorrhœa, unless virulent, is ignored; our real effort is to detect syphilis." In another case, a woman pronounced "well" was leaving the chair when, on a bystander's sceptical remark, the physician reversed his opinion and sent the unfortunate to St. Lazare. The total number of women incarcerated at any one time on the score of venereal infection is negligibly small. On the occasion of my visit to St. Lazare, 170 venereal women were confined there, and I was informed by the chief clerk that this was a fair average; these are the scapegoats for the venereal disease in circulation among the prostitutes of the French capital!

The medical examination at Geneva, Brussels, and Rome is of the same general type and works in the same way. The City Physician of Geneva explained to me that it required only "about an hour or so" to examine the 86 inscribed women of that city. I asked how often disease is found. "Very, very rarely," he candidly replied. Elsewhere I learned that as a rule the hospital of Geneva is free of women

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in so far as this source of supply is concerned. The conditions under which the examinations are made in Brussels and Rome preclude anything beyond primitive work. At Brussels, during the two years preceding my visit, a total of 26 prostitutes had received hospital treatment,—inscribed and non-inscribed. The year before—1910—nine inscribed prostitutes and 27 clandestine were pronounced “diseased.” “The real harmlessness of the registered prostitute,” says Dr. Baget, head of the hospital division at Brussels, “consists in this, that she is practically non-existent. My clinic at Hospital St.-Pierre contains four beds for prostitutes, and even these are almost always empty.”

The above description has dealt with regulation at its worst. In reply, it may be fairly urged that, though showing how regulation has worked in the past, it does not prove that better results are either unattainable or unattained. Let us see, therefore, what happens in most German cities in which a more conscientious type of clinical examination obtains. In these, at least, the examination is not in itself a direct factor in spreading infection; for individual spatulæ and individual specula are commonly used. The overburdened physicians have, however, neither time nor facilities to make proper observations. I was present at Hamburg at the examination of 42 women in a bordell; the whole process occupied less than 20 minutes. On another occasion, I witnessed the examination of 50 women, some under “light

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control," others, clandestine; the speculum was not generally used and the entire transaction, including the writing of the protocol, occupied less than a quarter of an hour. All were pronounced well. The medical service in Cologne suffers—as it suffers in all great cities—on account of the inadequacy of the staff. In consequence, the number of women who are isolated is everywhere inconsiderable; at Cologne, on the day of my visit to the police hospital, 30 registered women were confined for treatment; in the course of January, 1912, 75 women were found to be suffering with disease in Hamburg; in February, 67; in April, 53.

In Berlin, during the vogue of the clinical examination, the average number of women interned ranged from 260 in 1895-6, to 157 in 1903-4. In Stockholm, for all causes, 522 enrolled prostitutes were sent into the hospital 955 times in the year 1904.

It is obvious that among the registered prostitutes of a city there are at every moment many more diseased women than any of the above figures indicate. Why are they not detected? The doctors are overburdened with work, which is of such a nature as to make severe and uniform scrutiny impossible. Enormous fluctuations therefore occur, fluctuations which cannot possibly be due to sudden improvement or sudden deterioration in the condition of the women. For instance, in Vienna, with an enrolment of 2,569 in 1901, 1,185 women were found to be diseased; of 2,380 enrolled in 1905, 543 were dis-

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eased; with 2,329 in 1910, 332 were diseased. At Stockholm, between 1890 and 1904, the annual number committed to the hospital ranged from 523 to 1,026. Sixty-seven girls were sent to the police hospital of Berlin in December, 1907; under the same system, 349 were sent in May 1911; 230 in December of the same year. The average daily hospital roll numbered 262 in 1897-8, 184 in 1900-1, and 122 in 1908-9. A change of doctors is invariably followed by an increase in the amount of disease detected,—surely not in an increase in the amount of disease existing.

But aside from such variations, the clinical method is utterly incompetent to detect any considerable portion of infectious disease. Güth tells of a series of cases, 35% of which showed clinical symptoms of gonorrhœa; the microscope showed 90%. The figures for three years at Budapest are highly instructive,—those for 1907 the result of clinical examination, those of 1909 and 1911 the result of clinical assisted by some microscopic work:

Year	Number of enrolled prostitutes	Total cases		Gonorrhœa	Syphilis	Bubo
		venereal disease				
1907	1,717	884		328	105	451
1909	1,914	2,775		1,112	897	766
1911	2,097	2,100		839	697	564

So at Berlin, the number of cases detected leaped from 1,258 in 1903-4 to 3,721 in 1911-12, with change of personnel of the medical staff and the introduction of partial use of the microscope; consider the amount

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of misplaced confidence and resultant disease that medical inspection had previously made itself responsible for! Dr. Möller of Stockholm gives confirmatory statistics. Baermann at Breslau concludes after long experience that "without the use of the microscope the question as to whether an exudate from the urethra or cervix is infectious or harmful cannot be decided." This being the result of incomplete use of the microscope, to how much infection did the privileges conferred by regulation lead in Cologne in the year 1905, when among 2,048 prostitutes examined in the course of the year, 148 (i.e., 7.2 per cent.) were pronounced venereally diseased? The following table shows the absurdly inadequate amount of disease detected by clinical methods in the prostitutes of those German cities that I visited.

City	No. inscribed women			No. found diseased		
	1903	1905	1907	1903	1905	1907
Berlin	2,231	2,663	2,272	620	576	733
Hamburg	1,266	1,291	920	759	719	791
Munich	248	215	175	165	46	36
Dresden	277	394	281	248	333	426
Cologne	500	500	500	312	212	336
Frankfort a/M ...*	449	* 412	* 512	341	529	493
Stuttgart	23	16	22	22	18	28

* About.

The women themselves have learnt the trick of defeating the examination. So crude an examination for gonorrhœa as that with which we are now dealing can be eluded by thorough irrigation before examination. The more careful type of clinical examination can

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also be eluded: "If one remembers that especially women who are regularly examined are highly expert in concealing the traces of disease, one realizes that the medical examination has after all only a relative value," writes Professor Zinnser, who calls himself a regulationist. The bacteriologist of the Budapest police regards these practices as serious obstacles even to the more refined methods practised in that city. "The visible symptoms of disease are rendered either invisible or misleading. Certain disreputable physicians perform antiluetic cures, and treat the urethra with injections, thus enabling the prostitute to ply her trade."

The actual scope of regulation is, however, less than its apparent scope; for an inscription list of 6,000 at Paris or 3,000 at Berlin or 25 at Stuttgart does not mean that the number of prostitutes in question is in each city under continuous, even if periodic, inspection, so that there is a more or less stable body of approved women. Though 6,000 women are registered at Paris, the number who continue for a considerable period and who come regularly to inspection are relatively small. In a few instances, a withered hag reports for examination and one is told that she has been under observation for 25 years or longer; but far the greater number are constantly shifting. Of 629 women newly inscribed in Breslau during the year 1886, 147 dropped out in the first year, 94 in the second, 80 in the third. In Vienna, the number of disappearances and the number of

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enrolments keep close together. A small body of older women are more or less stationary; the remainder are in perpetual transit,—and this remainder includes the younger and more aggressive, whom effective regulation would have to keep under continuous observation. The same is true at Berlin; additions and disappearances from the list are as follows:

Year	1902	1903	1904	1905	1906
Newly inscribed	538	590	683	917	1,207
Dropped out	699	696	1,105	1,069	824

Whether even the humane spirit of the new regulations will greatly affect disappearances remains yet to be proved. In Stockholm, Möller found that of 857 controlled women, 286 were missing after one month; 109 more after two months; 100 more after three; 76 more after four: at the close of the 15th month, i.e., 5% were left.

In addition, visits are frequently missed, so that those who remain on the rolls are examined less frequently than the regulations require. Under the old Berlin system, more than 50% of the visits from 1888 to 1901 were thus omitted; there should have been 208,000 examinations; 94,000 were actually performed. At Stockholm, out of 6,667 examinations ordered from July to December, 1905, 2,242 were missed on the appointed day.

The tendency to disappear is, of course, strongest in the case of women who, knowing themselves dis-

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eased, face the prospect of detention. Between 1885 and 1899, for example, Johansson, of the Swedish Commission, finds 156 inscribed women who stayed away from the medical inspection; of these, 92, i.e., just under 60%, had primary syphilitic sores. In 1904, 31% of the Stockholm women sent to the hospital missed inspection just before their commitment. It appears, further, that of 845 women who between 1885 and 1906 contracted syphilis after enrolment the primary symptoms escaped detection, through interruption of inspection in 656 cases (77.6%). Inspection is therefore apt to be terminated by the act of the woman just at the moment when it becomes important. The women whom the police find to be ill are therefore largely those who, arrested for infraction of the rules, are subjected to an unexpected examination; women who are deceived as to their condition; and those who have bungled in the attempt to hide it or have not yet learned how to do so.

But the system undermines itself at another point: the women, if found to be diseased, are not detained long enough. Dr. Commenge, head of the Paris bureau, reported to the Brussels conference that in the two decades between 1877 and 1897, 15,095 syphilitic prostitutes were confined in St. Lazare an average of 30 days each. In Vienna, between 1893 and 1896, cases of gonorrhœa were detained from 18 to 21 days, cases of syphilis from 21 to 27 days. At Stockholm, 174 women with primary symptoms were

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detained an average of 48 days each ; 140 with secondary symptoms an average of 35 days each. Partially in consequence of premature dismissal, partially in consequence of re-infection or recrudescence, women often alternate for years between freedom and hospital detention. Of 498 Stockholm inscribed prostitutes, 81 escaped the hospital altogether while on the lists.

In Bremen it is now the practice to detain gonorrhœal patients from three to six weeks ; syphilitics were receiving at the time of my visit two injections of Salvarsan and were discharged at the end of a fortnight. Finally, at Berlin the average length of the hospital stay of venereally diseased prostitutes has tended steadily to decline as the following figures indicate :

Year	Average stay of each prostitute
1895-6	36.4 days
1896-7	32.2 days
1897-8	36.8 days
1898-9	36.4 days
1900-1	39.5 days
1901-2	48.8 days
1902-3	36.7 days
1903-4	41.0 days
1908-9	23.0 days
1909-10	19.91 days
1910-11	19.6 days
1911-12	22.0 days

The sudden drop since 1907 follows the introduction on a considerable scale of ambulatory treatment, allowed theoretically on condition that the women refrain from the prosecution of their business,—an

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obviously unsafe calculation. It is clear therefore that at all times the period of detention is too brief; hospital care goes far enough to remove the obvious evidence of disease,—the evidence that might, if left untouched, itself deter a more or less cautious patron. Disease being once rendered latent, or apparently latent, the customer presumes, at his own sure cost, on the supposed safety of the woman whom medical regulation has just discharged from the hospital as fit to prosecute her calling.

Even if we take regulation at its word and assume that it is fairly successful in isolating disease, it still remains true that it arrests more healthy than diseased prostitutes and thus increases the commerce of the undetected sick,—professional or clandestine. For the number of supposedly well prostitutes arrested for trifling violations of the rules is always larger, indeed much larger, than the number of ill ones. In Paris, 35,625 such arrests were made in 1897, 32,122 in 1898. The culprits were sent to prison to serve short sentences, for “racolage” (soliciting). I observed the handling of a group of such cases: a girl found in the Avenue Wagram at 1.30 a.m. pronounced “well,” got 4 days in prison; the next had just four hours previously finished a four-day sentence; re-arrested last night for loitering and sent back for four days more. The others were of the same type: all were “well” and all were sent to prison. Blaschko found the same conditions prevailing in Berlin under the old régime: 13,591 healthy

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prostitutes were imprisoned for "ridiculous trifles" in the year 1897-98, while 1,998 diseased prostitutes were under compulsory treatment. In Stockholm, at the close of 1911, 28 women were in the hospital, 127—supposedly well—in prison. In Cologne, 438 registered prostitutes were detained on the score of disease, 1,334 for violation of rules, in 1906; in 1911, 272 for disease, 2,066 for infraction of regulations.

I have thus far dealt with registered prostitution alone: in reference to it, I believe we are justified in asserting that the numbers treated have nowhere been relatively large and that the methods of conducting the examinations and their actual working greatly reduce even the apparent efficacy of the system. In Stockholm it has been calculated that three-fourths of the disease current escapes detection. It is therefore an incontrovertible fact that only a small part of the disease in existence among inscribed women has been isolated, and that these diseased women have been discharged before they are very much safer: in consequence of which, men consorting with medically inspected prostitutes are the victims of misplaced confidence.

So much for regulation taken fairly and strictly on its own ground. But the case against it is greatly strengthened when the remaining factors of the situation are taken into account. Regulation has always had to be cautious in the inscription of minors and nowadays tends more and more to omit them altogether. It is held—and of course rightly—that no

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civilized society can permit a minor to brand herself as a professional prostitute, authorized by the community to earn her livelihood as such. Now, immoral girls still in their minority are at once the most attractive and the most dangerous prostitutes. How many infecting foci escape sanitary control by the exclusion of minors a few figures will make clear. Out of 4,341 cases of obviously infectious syphilis in Viennese prostitutes, 44.9 per cent. were between 15 and 20 years of age, 38.1 per cent. between 21 and 25. The chief physician of the Vienna police in 1908 gave a most striking proof of the collapse brought about by excepting minors from regulation,—as he admitted must be the case: in 1900, 329 prostitutes were newly enrolled, 303 of whom (92.2%) were between 15 and 25 years of age: in that year, 2,686 cases of venereal disease were detected among inscribed women. In the relatively few instances in which minors are still inscribed at Berlin, the percentage of active gonorrhœa detected by the microscope is very high: of 38 controlled girls between 18 and 20 years of age, 29, i.e., 75% were discovered to have gonorrhœa. Paris statistics teach the same lesson: of 12,615 unregistered minors arrested between 1878 and 1887, 56.26% were syphilitic. More recent statistics sustain this result showing, as is claimed, that active disease is "ten times as common" among the unregistered minors as among the older women who are inscribed. In Zurich, 39.7% of the syphilitics described by Müller and Zürcher

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were between 12 and 17 years of age, 42% between 16 and 21 years old; of those over 26 years old, very few indeed showed active signs of the disease, proving "the well-known saying, that the prostitute becomes syphilitically infected at the very outset of her career." A Viennese estimate showed that out of every 1,000 prostitutes arrested for offences, over 57 per cent. were minors,—practically ineligible to inscription and medical control. Infection takes place so early that it is believed that in general "every prostitute who has followed the business a year, is infected." Regulation is therefore in the position of creating a certain presumption in favour of the hygienic security of irregular intercourse; even if it could create a monopoly in favour of inscribed women, there would be no reason to believe in its efficacy; but as the appetite that it fosters satisfies itself indiscriminately, the result is that bad is simply rendered worse.

One arrives at the same conclusion from another angle. I have repeatedly pointed out that on any rational definition of prostitution the total army of prostitutes is many times as large as the registered portion. Most of these women ply their business unhindered. Having had precisely the same history as the registered women and conducting their affairs with similar promiscuity, disease is of course equally rife among them. Yet, as long as they conduct themselves with discretion they are free from police interference. Only the disorderly clandestine or

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non-inscribed woman is ever anywhere inspected at all. The cautious street-walker and fashionable and showy women who in Berlin frequent the Palais de Danse are never inscribed, despite their notorious character. Women of the latter type are, in fact, nowhere enrolled; yet they do a large business, dangerous not so much on account of syphilis, which is with them long since a matter of the past, as on account of gonorrhœa, from which they are chronic sufferers. A single clinical examination of each of 12,825 non-inscribed women arrested in Berlin in five successive years (1903-1907 inclusive) showed 17% venereally diseased; of 1,514 arrested in 1909 and 1910, 421 were diseased. At Cologne, the percentage is much higher: 660 non-inscribed women were arrested in 1906, 178 were infected; 1,626 were arrested in 1911, 304 were infected. At Vienna, 1,319 such arrests were made in 1910: 222 cases of infection were discovered among them. It must be emphasized that the police surgeons get hold of these women, not because they are diseased, but because they are disorderly. Had they remained sober and quiet, regulation would have permitted them to continue undisturbed in the work of spreading infection, precisely as it does not touch the thousands of others, who, however diseased, are careful to keep the peace. The amount of disease thus surprised is interesting as a symptom of the vastly larger amount that wholly eludes observation. An incident related by Welander may well close this line of argument. "It

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is superfluous to mention," he writes in his account of venereal disease and prostitution in Sweden, "that the clandestines are the main sources of infection. Recently there has been a small epidemic of soft chancre in Stockholm. Daily, male patients thus afflicted are admitted to the St.-Göran Hospital; but the hospital for prostitutes, during this entire period, has received only five women thus infected. This epidemic cannot be attributed to inscribed women," and, further, he might have added, inscription did not locate or isolate the infecting foci.

I have discussed the foregoing points in considerable detail in order that we might be in position to decide whether—whatever may be held theoretically as to the possibilities of regulation—it has in the past operated to reduce the amount of venereal disease. Whatever one may hold as a matter of theory, it is clear that, as a matter of practice, regulation as it has been carried on during the past century has increased, not decreased, the volume of venereal disease. No successful experience in the past can anywhere be quoted on its behalf. Those who believe in its possibilities are loudest in condemning its actual results. Professor Finger of Vienna, a regulationist, so-called, and one of the authors of the recent improvements there, says of the usual system: "As far as the good of regulation goes, I can speak from experience: the good can't possibly amount to much." Professor Neisser of Breslau, the discoverer of the gonococcus, —regulationist, too—declares: "If a radical recon-

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struction cannot be brought about, it is better to drop the entire system. The present system not only does not effect a real sanitary control of the inscribed women,—it rather operates to increase the volume of venereal disease.” The Hamburg system, in the form in which I have above discussed it, is the creation of Dr. Julius Engel-Reimers, whose authority in Hamburg was, during his lifetime, so great as practically to render criticism futile. Nevertheless in a volume of lectures on venereal disease, published in 1908, Dr. Engel-Reimers, at the close of a career identified with regulation, declares : “ Medical control of prostitutes has very slight influence on the incidence of syphilis and gonorrhœa among the male population. It is absolutely clear that these diseases are no less common where regulation exists than in places where prostitutes enjoy unrestrained freedom to ply their trade.” This is assuredly candid, as well as startling testimony. For the present it is enough to note that the authorities above quoted—and the number can be extended—all call themselves regulationists ; but it is some new form of regulation, not regulation as it exists historically, that they believe in. Those who defend the system and its results against the regulationist medical authorities above quoted are in the main police officials, whose favourable judgment will be accounted for in the next chapter.

If regulation has, even in the opinion of authorities theoretically inclined to believe in it, failed in

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the past, is there any evidence to support an opinion favourable to it in some revised form in the future?

Let me call attention at the outset to the peculiar position in which the system is placed the moment one asks this question. It implies that regulation is not a policy more or less approved by experience, but an experiment, the value of which as a possibility has nowhere as yet been demonstrated. So far as history goes, the verdict is against its efficacy; so far as the revised system is concerned, not even those trying it as yet pretend to be able to assert for it any perceptible measure of success. "I must note at the very outset," says the candid police bacteriologist of Budapest as recently as May 29, 1912, "that the time which has elapsed since the new ordinance has been in force is as yet entirely too short for us to render a final opinion concerning its advantages." Regulation in its historic form is thus something worse than a failure; in its modern form, an experiment, of whose success not even its authors can give any evidence or venture any prediction!

Is there any substantial reason to believe that the improved system will successfully cope with the difficulties fatal to the old? The number that it reaches is less rather than more. Under the clumsy old system, Berlin enrolled 5,098 women in 1896; under the improved new system, 3,559 in 1912,—a decrease of over 30%, despite the city's growth; under the old system, Dresden enrolled 394 in 1905; under the new, 293 in 1912; at Budapest, the

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numbers are practically unchanged. The increased leniency and humanity of the new system thus decrease enrolment and tend to offset any advantage gained by improved medical methods.

Nor does the new system enjoy any advantage over the old in other important respects. Women continue to miss visits and to disappear: at Budapest, for example, with an enrolment of 2,000, the monthly non-attendance in 1912 ran as follows:

March	293	June	315
April	353	July	414
May	398	August	319

These are, however, matters of detail on which it is not worth while to pause longer. The issue turns mainly on the effect of the partial use of the microscope,—at least once in two weeks at Berlin, on suspicion in other places. How far-reaching is the improvement thus wrought among the small number of women affected by it?

In respect to syphilis, the situation is hardly modified at all, except in so far as the general quality of the personnel has unquestionably been improved by the introduction of more modern methods and a more dignified environment. But these factors are not far-reaching. The inscribed women have either had syphilis before inscription, in which event no check was placed on them at the time; or they contract it subsequently, in which case they are interned only until the active ulceration has been converted to more or less latency. The scope of

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improved regulation in dealing with inscribed syphilitics is thus practically as limited as that of the older form ; it has no definite or reliable effect during the dangerous primary and secondary stages and is, of course, unnecessary in the tertiary stage.

For the reasons just urged, neo-regulation concerns itself mainly with gonorrhœa. Figures already given show that the moment the use of the microscope begins, the amount of gonorrhœa detected increases. Whether gonorrhœa is discovered in a prostitute or not is largely a question of the microscopist's patience. Lochte examined 172 girls once each, when 19.1 per cent. gave positive evidence of gonococci ; on a second trial, twice as many (38.6 per cent.). Different investigators have discovered that from 50 to 65 per cent. of inscribed women carry the gonococcus hidden in glands or folds. Instances are known in which the disease has been contracted by a patron from a woman in whom the microscope was unable to demonstrate the gonococcus. The explanation is obvious. When the germs are less numerous, it is a matter of chance whether the infinitesimal amount of the secretion examined happens to contain a sample or not ; but infectiousness exists none the less. In order to reduce chances of error, negative findings on three successive days are required before release ; but Professor Pinkus told me of women released from the hospital on these terms in the morning who—without intercourse in the meanwhile—gave positive specimens at the police

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examination in the afternoon. Besides, under sexual excitement, the gonococcus that has burrowed more deeply is all the more apt to be exuded. "Every prostitute," says Pinkus, "even though not acutely and violently diseased, is always more or less infectious and not the least confidence in her freedom from gonorrhœa can be justified." A chronic condition supervenes that is always infectious,—and most of all so during intercourse.

All that I have just urged would be true even if the microscope were constantly used. But, as a matter of fact, even where neo-regulation is most systematically installed, the labour and the time involved are so enormous that it has proved impracticable to institute anything beyond occasional microscopical control. What does the fortnightly microscopic slide in Berlin prove? That at two moments in the course of a month, a random shot failed to elicit positive proof of infectiousness! During two weeks, the utterly incompetent clinical examination alone threatens the woman's withdrawal from business; should she be even palpably infected, she may easily be allowed to continue the distribution of gonococci during this period. At the close of two weeks, her chances of detention momentarily increase. Yet, even so, the numbers at any time interned show the inadequacy of the method to reach and to isolate any considerable volume of infection. During four months—December, 1910; January, February and March, 1911—809 cases of gonorrhœal infection were

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discovered among the registered prostitutes at Berlin: that is, on the average, the number of women in circulation was reduced about 200 per month. In the other towns where the improved system is in use, its inadequacy is equally striking. At the time of my visit to Dresden (June 19, 1912), 9 inscribed and 27 non-inscribed women were in the venereal hospital ward. All this is well-nigh negligible even when compared only with the total inscription; when viewed in connection with the total amount of prostitution and disease, it is not worth mention.

It is, of course, urged that, be the number removed and temporarily confined ever so small, infection is at least reduced by that amount. The argument holds only in case the number removed is large enough to affect the accessibility of temptation. Ten women in a bordell will, for example, satisfy all the customers who come; if one is withdrawn—and the percentage withdrawn by medical inspection is by no means so large—the remaining nine will dispose of the same volume of trade. The amount of congress is therefore hardly affected: is the amount of disease reduced? That depends on the condition of the nine with whom the business is transacted. Similarly, on the streets. A woman—Marie, let us say—to whose solicitations some many would have succumbed, is in the hospital. Is her clientéle so attached to her that they will abstain until she is released? If so, undoubtedly, there being less congress, there is less disease in that

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interval. But the traffic is not organized in that way. Marie's customers are picked up by Gretchen or by some one else. Does the withdrawal of 250 women reduce disease, if it involves only redistributing business so that what would have been intercourse with the interned Marie is transferred to others?

That depends on the condition of the other women. Are they safe? The vast clandestine army not hygienically supervised is no safer than it would be if there were no medical regulation; and this army is so large that the effect of removing a controlled prostitute is to force her business largely upon prostitutes who are uncontrolled. Those of Marie's customers who fall to controlled prostitutes are hardly likely to fare better,—for the controlled prostitute is suffering with a chronic cervical gonorrhœa which any customer may contract.

The amount of disease communicated and contracted is, therefore, in the long run, dependent not on the existence or the non-existence of medical inspection, but on the frequency and amount of irregular intercourse. Professor Havas, in discussing with me the Budapest situation, urged vehemently that there is but one factor to be reckoned with, viz., the amount of promiscuous coitus. Whatsoever reduces such coitus, reduces disease: a rainy night, driving women and men from the streets, an outburst of police repression, do more to check disease than any system of regulation. It is surely not without significance that Professor Pinkus, head of the

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hospital for venereally infected prostitutes, has published a book, called the "Prevention of Venereal Disease," in which he emphasizes the infectiousness of all prostitutes, controlled as well as uncontrolled, and bids his readers refrain or utilize mechanical preventives for their protection!

It is therefore not surprising to find how frequently afflicted men in regulated cities refer their infection to professional prostitutes. Pinkus, inquiring of 2,512 male patients, traced 1,571 cases (62.54 per cent.) to prostitutes, of whom 1,350 (52.74 per cent.) were professionals.

Does the foregoing condemnation of sanitary control apply to the bordell inmates as well as to scattered prostitutes? Or does the medically regulated bordell offer an increasing measure of hygienic protection? Assuredly not on the score of more thorough medical examination. In so far as the inspection takes place in the bordell, the situation is aggravated rather than improved; for nowhere are there proper facilities, and the women may all the more readily practise imposition. Disease is therefore not more likely to be discovered.

On the other hand, it is more likely by far to be widely distributed: for the bordell prostitute entertains, as we have learned, a stream of patrons. Schrank estimated that the Vienna women averaged three to ten visitors daily; but the number is known on occasions to have risen to thirty or higher. An authentic instance of 57 visitors in one day is

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recorded; the mayor of Bordeaux told the French commission of a woman who had received 82 clients in a single day. The sale of alcohol in the bordell markedly increases the range of infection, for it provokes recklessness and banishes caution. It has been estimated that one-third of the gonorrhœal infections are incurred while the victim is in liquor. If then, the woman is herself infected, she has enlarged facilities for distributing disease; even if not herself infected, she may be the carrier of disease from one of her patrons to others of the series.

Statistics favourable to this contention can be submitted; but in view of the liability of the patient to error in locating the sources of his infection, the argument is perhaps more conclusive than the figures. The contrast between the amount of disease discovered in the bordell inmates of Hamburg and the scattered prostitutes of Berlin is significant:

Number inscribed women					
Year	1903	1904	1905	1906	1907
Berlin	3,709	3,287	3,135	3,518	3,692
Hamburg	1,266	1,258	1,291	1,039	920
Number found diseased					
Year	1903	1904	1905	1906	1907
Berlin	620	505	576	660	732
Hamburg	759	843	719	721	791
Percentage diseased					
Year	1903	1904	1905	1906	1907
Berlin	16.7	15.3	18.3	18.7	19.8
Hamburg	59.9	67.0	55.7	69.3	85.9

But perhaps the best statistical proof is derived from Vienna, where substantially the same methods—if

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poor, at any rate consistently poor—were applied to both sets of registered women, the bordell women making regularly the worse record:

Year	Percentage diseased					1893
	1888	1889	1890	1891	1892	
Bordell inmates	13	12	15	13.5	13.5	12
Scattered prostitutes	2	3.6	5.3	4.7	6.5	5.8

The bordell is particularly dangerous to youth, whose curiosity it excites; and recklessness and ignorance characteristic of that period results in an exceptionally high ratio of infection. Pinkus gives some statistics collected at Kiel, showing that of 100 boys under 20, 33.75 per cent. had been infected in the bordells of that city; of 100 men over 20, the bordells were held responsible in only 19.75 per cent.

Against the position above taken, the experience of Bremen has recently been cited. There the percentage of infection discovered among bordell women has been steadily reduced by the system of regulation in vogue. In 1900, the 50 inhabitants of Helenenstrasse averaged 1.4 infections each; in 1905, the seventy-odd women there averaged .73 infections each; in 1910, .38 apiece.

Can it be fairly inferred that a strictly supervised bordell system will thus greatly diminish danger? As a matter of fact, there is no pretence that the total amount of venereal disease in Bremen has been perceptibly influenced by the bordell control. The business of the bordells is steadily shrinking. Seventy women can be drilled to exercise all kinds

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of precaution,—but the moment the number is largely increased, supervision collapses. The smaller number of women here interned can be forced to provide their guests with mechanical devices—and themselves to utilize strong antiseptic douches. The figures are themselves, however, without the significance attributed to them. In the first place because, as the oft-infected prostitute suffers from chronic gonorrhœa, she is always a menace, most of all so during coition (let the examination say what it will); strong douches simply wash away accessible evidence. In the second place, because the membership of the little colony is so constantly changing that the figures do not speak for the condition of a definite set of women. There was a constant entrance and exit, the entire membership being transformed in a short space of time. Looking through the police records, I ascertained that one woman had been resident six years, one or two others one and a half years; all the rest were recent additions.

On the medical side, therefore, regulation is even weaker than on the side of order. There is a connection between prostitution and disorder, in such wise that some sort of police control of disorderly or criminal prostitution might conceivably be a useful way of keeping them in easy reach. Experience proves that the same object can indeed be otherwise attained, and without granting enrolled prostitutes privileges which are themselves damaging to the public and straightway involve the extension of

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similar privileges to the uncontrolled. But there is still a grain of truth at the bottom, namely, that the low-grade prostitute tends to align herself with crime and for that reason may be properly made a constant object of police surveillance.

It is absurd, however, to infer that machinery devised in the interest of order is equally applicable to sanitation. On the score of order, the police are interested in criminal and semi-criminal prostitutes. The discreet women who ply their vocation inconspicuously and in a business-like spirit, give no trouble and are therefore never inscribed. Disease, however, is an altogether different matter. From that there is for the prostitute no exemption whatsoever. She contracts it irrespective of her outward demeanour; and she communicates it, regardless of the general decorousness of her behaviour.

There is then on the sanitary side no support whatever for the theory of police regulation. It assumes that those dangerous to order are the ones most dangerous to health; that crime and disease go together; that if the police inscribe women inclined to join prostitution and crime, they will thus get hold of the main sources of infection. But the truth is far otherwise. The non-criminal prostitute is at least as dangerous to health as the criminal prostitute.

There is another objection to identifying disease and crime, as the association of medical inspection with the police inevitably does. The infected prostitute has been taught that the consequences of disease

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resemble the consequences of crime; they lead to arrest and condemnation,—even though condemnation means only a hospital ward. This ward is in some places still a prison. In consequence, the woman's first impulse on realizing her condition, is to flee or to hide. She resorts to a quack, she employs superficial remedies to conceal the ravages and signs of infection; and she plies her business. Hence a few wretched or foolish girls and women who are in ignorance of their condition or who have been suddenly apprehended find themselves pronounced "diseased." The more clever of the inscribed women, if diseased, disappear into remote lodgings or to other towns; the fear of the prison hospital leads them to conceal and to scatter infection.

The women have thus completely penetrated the sanitary insincerity of regulation. They know that they are not regulated simply because they are prostitutes,—not even because they are diseased prostitutes. A woman is inscribed because, being a prostitute, with or without disease, she has incurred,—justly enough, doubtless, as a rule—the suspicion and displeasure of the police. The hygienic motive did not and does not start the machinery to move, and its connection with ordinary police functions, methods and spirit results in its own discredit and defeat.

A final absurdity remains to be pointed out. What can it avail to incarcerate for brief periods a few unhappy women, if meanwhile the manufacture of

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fresh foci of infection proceeds unhampered? As long as regulation completely omits men, new sources of infection are produced far more rapidly than by any known method they can be eradicated. A vicious circle exists. Men infect the beginners—themselves at the time out of reach—who in their turn infect other men. I pointed out in the opening chapter that prostitution is a concept involving two persons. Logic and justice alike require that both parties be considered as equal partners in the act. Society has chosen to overlook the man; but nature has righted the balance by impartially distributing disease and suffering; nor will she permit herself to be outwitted by any one-sided scheme.

Regulation, needless on the score of order, is thus seen to be positively harmful in its bearing on disease. As a system, therefore, it runs counter to the modern spirit in ethics, in politics, and in hygiene. Why then should it still exist in places, why should it fight so stubbornly for survival? To the answering of this question, the last chapter dealing with the subject will be devoted.

CHAPTER VIII

THE REAL INWARDNESS OF REGULATION

Reasons for partial survival of regulation.—Policy rapidly losing ground.—Ignorance of its details.—Political and social conservatism.—Vested interests.—Regulation and police corruption.—Ulterior motives.—Final objection to regulation.

IN the course of the last three chapters I have been at pains to discuss in detail the continental regulation of vice. I have shown that the term regulation denotes no uniform system, but that, on the contrary, marked variations of system exist, explicable in the main, as different attempts to stop a gap, to prevent further collapse, or to effect a readjustment somewhat less repugnant to modern feeling. Two reasons continue to be advanced officially in support of the system: that it is necessary to the police authorities for the maintenance of order, and that it contributes to the reduction of venereal disease. The former contention has been shown to lack substantial basis; the latter is assuredly in most cases either insincere or mistaken,—insincere, I take it, in Paris, where the most elementary sanitary precautions are neglected; mistaken at Vienna, where a conscientious administration continues to labour at the task with implements and methods already

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obsolete. It must also be admitted that the ethical argument has played a part in discrediting a system, which has suffered alike from its own obvious failure as well as from the growing disgust of society.

For the reasons just summarized, regulation has lost and is still rapidly losing ground. As recently as a quarter of a century ago it was in vogue throughout the continent of Europe; in the seventies it enjoyed a brief currency in Great Britain as well. It is decaying in France where, of 695 communes having over 5,000 inhabitants, it has entirely disappeared from 250 and practically from many others. In Germany, of 162 cities, 48 have dispensed with it, while it is moribund in others. In Switzerland it survives only in Geneva; it has been wholly abandoned in Denmark, Norway, and Great Britain. A special commission has recommended its total abolition in France; and a similar body in Sweden, far from unanimous at the start, has unanimously come to the same conclusion. Partisans of regulation sometimes endeavour to explain away this general movement on the ground that in it ethics and sentimentality have simply prevailed over science and commonsense. But the facts lie far otherwise.

For its partial survival thus far in France, Germany, and Austria-Hungary there is no single or simple explanation; several considerations combine to retard what is unmistakably a general movement destined to efface the system in all its forms. Let us briefly consider the factors in question.

The Real Inwardness of Regulation

Ignorance is partially responsible. The general public is uninformed; many intelligent people have only the vaguest ideas as to what is taking place in the name of regulation. In Paris, the principles involved have been indeed the subject of acrimonious discussion for many years; but I recall the utter amazement with which a distinguished politician, to whom I had been referred as one keenly interested in the topic, heard that at that moment only one hundred and seventy women were interned on the score of disease. Other similar incidents could be given. The Budapest officials had studied and adopted the revised Berlin procedure; the Vienna officials had studied the Budapest and Berlin bureaus on the ground; but other instances of painstaking examination of the workings and the effects of regulation even on the part of those charged with its enforcement were very rare indeed. Partisans of retention, reform, and abolition alike fight more or less largely with lame weapons,—reports, hearsay, and newspaper clippings. The Paris police, for example, urge that if the morals patrol were abolished, respectable women would not be free from molestation on the streets; and a high official cited Zurich as a striking example. Inquiry and observation on my part at Zurich failed to discover the slightest basis for the statement. Non-existent statistics are frequently referred to, to show the dreadful things that have followed in the wake of abolition in England. Under these conditions the

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emotional fervour with which the ethical argument has been pushed has had at times an effect just opposite to that intended.

The political and social conservatism of Europe doubtless also operates to stay the reforming hand. Regulation of some kind has existed time out of mind,—in classical and medieval, as in modern times. Prostitutes have formed a class apart; and societies which respect class differentiations readily enough transmit an institution which appears to be founded simply on the frank acceptance of what has been, is, and will continue to be.

Regulation enjoys, however, more positive and more formidable protection than would be afforded by either ignorance or tradition. It is identified with powerful vested interests. Of European office-holders—as of all others—it is true that “officials rarely resign and never die.” The officials—lay and medical—and the patrolmen directly and indirectly connected with the morals bureau form a placeholding interest, magnifying its own importance, stating its own case in the way that is most likely to carry conviction and resisting interference with all the strength of the instinct that struggles for existence. Less creditable motives are also alleged. The European police bear, on the whole, an excellent reputation. As to the capacity, intelligence and integrity of the officials one hears no question raised. The police president is usually a jurist of university training who has risen to his post by promotion on

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the basis of merit. His appointment has no connection with politics, and he holds office for life or good behaviour. The very patrolmen are selected with scrupulous care. In Germany no man is appointed unless he has served as an under-officer during his military service; in England, fresh men are taken from the country and small towns in order to avoid connections and associations possibly prejudicial to disinterested service.

But this exemplary reputation does not belong to the morals police. Once more, the head officials are nowhere involved; charges of corruption and grave impropriety on the part of the patrolmen in the morals service, are, however, all too common. The situation created by regulation is indeed an impossible one. Prostitution is treated as inevitable; it is authorized and "regulated" on the ground that men will indulge themselves. And yet the morals police who are closest to it are expected to hold aloof!

In truth, such oversight as would insure an honest morals police adequate to the need in point of number cannot possibly be instituted. The task would be difficult enough if all prostitutes were treated alike. But public opinion and official supervision cannot enforce a policy abounding in exceptions. The moment exceptions occur, an opportunity for trading, for corruption, for collusion is created; hence the danger arising from measures applicable to part only of the offenders. If at the most one prostitute in six or eight or ten is to be registered, who is to know

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on what basis the others escape through the net? It can occasion no surprise therefore to find it freely asserted that among the stronger forces working for the retention of regulation must be reckoned the personal interest of corrupt placemen, and of liquor-dealers, dance-hall-owners, and bordell-keepers who through regulation come into possession of a group of women whom they can exploit. The effort to dislodge regulation in Geneva—the sole Swiss town in which it survives—has been so far successfully resisted by a combination of bordell-keepers, liquor-dealers, gamblers and high livers, who proclaim Geneva as a “smaller Paris.” In Paris it is charged that morals policemen have acted as “go-betweens” in negotiations between brothel-keepers and street women, and that they have in some instances under threat of arrest forced girls from the street into houses needing recruits. These charges are made on the authority of some of the ablest publicists in France,—a former prime minister among them. I have in my possession a copy of a letter written by a morals policeman to a street prostitute working for him as a pimp! One hears of similar incidents elsewhere. Shortly before I went to Berlin,—so I was informed—twelve men had been dismissed from the force for unworthy conduct. A similar incident occurred recently. The Berlin morals patrolmen are permitted to utilize registered women as spies in order to obtain information for their guidance. A girl thus used turned upon her employers, denouncing

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them as “pimps.” At Frankfort I was told of instances in which it was found that police officers lived in the very houses to which registered prostitutes were referred.

There must, of course, be other motives at work to account for the maintenance of regulation; for the police heads being, as I have urged, men of honour and intelligence must be regarded as putting up with, while combating, the evils just mentioned for the sake of other objects, which they assume to outweigh the disadvantages involved. Certain provisions of the rules governing inscribed women give the clue by means of which the motives in question may be arrived at; and confirmatory evidence can also be found.

I have frequently called attention to the fact that a woman is not registered because she is a prostitute, nor even because she is a diseased prostitute. The women who nightly frequent the cafés, dance halls and variety shows are among the most notorious prostitutes in Europe, yet no effort is anywhere made to inscribe them. These women are not overlooked because their health is miraculously protected; as a matter of fact, they have run the gamut of disease, are liable to gonorrhœal re-infection, and are by some specialists regarded as especially dangerous because they appear to rather better advantage than street-walkers. The same statements apply to hundreds, in the largest cities to thousands, of prostitutes, far more humble in aspect who ply their trade quietly

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and unostentatiously on the streets. Over a glass of wine in the cafés of Montmartre or the Latin Quarter one readily elicits the tell-tale facts. The habitués of these resorts know the police and the police know them. There is not the slightest doubt as to their status; nightly they appear in their habitat. They are not inscribed, even though their notoriously promiscuous relations necessarily result in infection. They are not inscribed because they behave well. Unaggressive in demeanour, they engage the passer-by in bantering conversation, disclosing their purpose but rarely pushing it. Only when crime or disorder brings them into suspicion or prominence, do they become objects of police observation, eventually inscribed and forced to report for medical examination—the device by means of which they are kept under close surveillance.

The fact then that notorious prostitutes who give no offence by their actions, associations, or movements easily evade inscription suggests at once that inscription is not due to prostitution as such, or to prostitution complicated by disease, but to prostitution in so far as it is suspected of alliance with criminality or disorder. This interpretation is sustained by many facts; in the first place, by the spy system, which has just been exposed in Berlin. The streets abound in prostitutes to detect whom no spies are needed; yet they are for the most part overlooked by the police. Spies are utilized to get hold of prostitutes to whom there is some objection other

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than their promiscuous sexual life. In Berlin, moreover, girls with "feste Wohnung" (definite domicile) are not apprehended on the streets unless irrefragable evidence is at hand; girls who on interrogation prove to be without "feste Wohnung" are taken up promptly. The distinction is obviously not made on the theory that the former is not a prostitute, while the latter is,—both are. The significant difference is that prostitutes with "feste Wohnung" are apt to be law-abiding and can in any case be readily laid hold of, while prostitutes without "feste Wohnung" are apt to be criminal vagabonds of highly elusive quality. Registration enables the police to pin these women down and to keep in constant touch with a criminal or semi-criminal element.

The above view—that regulation at the present day is retained because it gives the police an additional arm in dealing with a certain class of delinquents—is further sustained by certain explicit provisions of the rules. For the Berlin regulations stipulate: "Registered women must at once, at any time, day or night, admit to their rooms police officers who come to make inspection respecting persons found with them." Similarly in Hamburg. In Paris, the rules warn women "not to resist the agents of the authorities, nor to report falsely their names or addresses." In Vienna, "the police may without explanation, at any time forbid prostitutes to occupy a particular house or to room with a particular madame;

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the domiciles of prostitutes are to be under constant surveillance and delegates of the police must be admitted on request." Schneider, noting that it "is well known that the police frequently utilize the lowest grade of prostitutes, who are accustomed to consort with criminals, as detectives," and that not seldom bordell-keepers and bordell inmates are required to act as police spies, quotes the following from the regulations in vogue at Eger: "Bordell proprietors are in duty bound to keep close watch on strange customers and to give the police prompt and quiet notice whenever suspicion is aroused." The above regulations apply only to controlled women; uncontrolled prostitutes are amenable only to the rules applicable to all other persons.

There is, however, other evidence to the same effect. M. Lépine, the former Prefect of Paris, has already been quoted as authority for the statement that it is the controlled women who annoy the police. Unless these women are enrolled not because they are prostitutes, but because they are criminals, there would be no reason why arrested prostitutes should prove to be mainly controlled prostitutes. If prostitutes were enrolled without regard to criminality or criminal associates, those arrested would be mainly non-registered women, since the latter are much the more numerous and at least as prominent. Yet the figures everywhere tell the opposite story. In Paris, for instance, in 1903, 55,641 arrests were made among the inscribed women, numbering that year 6,418

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women; among the far greater number of unregistered women, 1,426 were arrested once, 1,395 more than once,—a total, almost negligible, of 2,821. The disproportion is less marked at Berlin and the totals smaller, but the same fact emerges: of controlled women in 1909, 1,122 were arrested; of clandestines many times as numerous, 636; in 1910, the figures are 1,984 and 878 respectively. At Stockholm, those imprisoned are always much more numerous than those in the hospital, as e.g., 201 in prison, 23 in the hospital in 1870; 162 as against 30 in 1890; 216 as against 74 in 1904. That enrolled prostitution and criminal prostitution fairly coincide is thus manifest.

It is absurd, as we shall see when we deal with the preservation of order in non-regulated cities, to argue that either regulation or a special police is required in order to make these arrests. As a matter of fact, not a few of the occasions leading to arrests are attributable to regulation, partly in consequence of the well-nigh inevitable abuse of the privileges extended to the inscribed prostitute, partly because of trivial infractions of liberties enjoyed by non-inscribed and denied to inscribed prostitutes; for just as the inscribed prostitute is authorized to do certain things without molestation, so she is forbidden to do others that her non-inscribed sister does without interference. In any case, as disorder and crime are most rife among registered women, it would appear that the women are registered on the ground that

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they need police oversight and thus get it more effectually.

In the proceedings of the Paris bureau, incidents occur daily, explicable on the theory that I have just set forth, and not otherwise. I watched the following transactions, all suggestive of ulterior motive: a girl released from St. Lazare forty-eight hours before, was brought before the police physicians without charge of definite offence, adjudged diseased, and sent back to prison. Clearly the police wanted her behind the bars, and regulation enabled them to put her there and keep her there. Another had left St. Lazare twenty-four hours previously: picked up for disorder, she was sent back for four days. Another was asked at my suggestion, "How many terms have you served at St. Lazare?" Her answer: "I don't know,—too many to count." The prison attendant explained to me that some of these "repeaters" spend twenty-five nights out of every month there, receiving a constant succession of short sentences. They are hardened cases, whom the medical inspection keeps close to the police. The fact that clandestines thrice arrested for "racolage" (soliciting) are compulsorily inscribed bears witness once more to the fact that registration seeks to get hold of only the disorderly and criminal.

The criminal arm with which the police are thus furnished is a plain-clothes division—a secret body moving noiselessly and armed with summary power. The women and the bordell-owners, where bordells

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exist, prosecute their business on the sufferance of this body. It is openly and responsibly charged that this situation has led even the higher authorities in some places—notably Paris—to employ their irresponsible power for political or other purposes. It is alleged that prostitutes and bordell-keepers have been utilised for blackmail and espionage. Concrete cases are always so involved in detail that the charge is hard to substantiate; but the high character of the persons who make it warrants the belief that it is not wholly baseless. Blaschko's comment is here entirely sound: "Hygiene is not the reason why the police so stubbornly hold on to regulation. . . . The police have a decided interest in keeping under constant observation . . . the women who stand in intimate relation with the criminal world, the friends of pimps, thieves, and burglars, often enough themselves thieves. Nobody disputes the right of the police to watch this dangerous class. But there is no doubt that the criminal point of view which is the real basis of existing regulation actually gets in the way of efficient sanitary control."

And here we come upon the final and unanswerable objection to any form of regulation. The modern state—the modern European state—is an organization charged with the positive duty of securing and promoting conditions which make for the welfare, happiness, and usefulness of every member of society. How far it can at any moment travel in the direction of compelling better conditions is a

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detail to be determined; but certain it is that the fundamental basis of modern statesmanship is violated by the notion that certain members can be sacrificed, body and soul, in order to win a trivial police advantage! Prostitution exists and on a large scale. The state is bound to face the fact. But, be the outlook for its extermination or reduction good or bad, favourable or unfavourable, at the very least the whole weight of the state's power and influence, direct and indirect, must be thrown against it as wasteful, demoralizing, and infamous. "The law must be a teacher" in so far at least as it embodies an expression of what ought to be. It is absurd to suppose that the state can take this position—whatever its value—and yet authorize prostitution on any ground whatsoever,—absurd to preach continence and to license vice.

True enough, no police officer in Europe admits that regulation licenses vice. But, whatever the legal theory be, it does, nevertheless! The prostitute believes that she is practising a trade regulated by society, that society simply prescribes rules for the conduct of her business. There is, therefore, no more pathetic incongruity than that which is presented in the morals bureau of Berlin, Munich and Budapest, where a social worker is installed for the purpose of dissuasion, while the police officer waits in the adjoining room ready to authorize the career from which well-meaning but ineffective pleading has first endeavoured to deter.

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This then is the final and weightiest objection to regulation: not that it fails as hygiene, not that it is contemptible as espionage, not that it is unnecessary as a police measure, but that it obstructs and confounds the proper attitude of society towards all social evils, of which prostitution is one. Men can refrain; the state must do nothing to make indulgence easier. Women must be saved, if possible; rescued, if preventive measures have come too feebly or too late. These sentences sum up the simple and entire duty of the state. As against all this, inscription entices the girl, offering her a *quid pro quo* if she crosses the line. Thus it snaps the last weak thread that ties her to decent occupation or other associations. In its ultimate effect, therefore, it is a compact with vice, whatever the language employed. It may not intend to encourage vice, but by conceding to vice a privileged position, it discourages all effort to prevent or uproot it.

CHAPTER IX

ABOLITION AND ORDER

Meaning of term "Abolition."—Immediate effect of abolition.—General distinction between regulation and abolition.—Abolition not *laissez-faire*.—Provisions of English law as to street-walking,—as to brothels.—Legislation in Norway,—in Denmark,—in Holland,—in Switzerland.—Public opinion an important factor.—Actual conditions as to street-walking in London.—General improvement.—Actual conditions as to vice resorts.—Effects of London policy.—Comparison with continental cities.—Abolition and the police.—Conditions in provincial and Scottish towns.—Conditions in abolition towns on the Continent.—The suppression of bordells.—Street-walking in Copenhagen,—in Christiania,—in Dutch cities.—No loss through abolition.—Prostitution and vagabondage.—The domicile problem.—Prostitution and crime in abolitionist communities.—Morals police in abolition communities.

THE term abolition is more or less widely misunderstood. Not infrequently it is supposed to mean "the abolition of prostitution," and abolitionists are represented as bent upon summarily abolishing prostitution through statutory enactment or otherwise. As a matter of fact, abolition refers only to the abolition of laws and police ordinances regulating, recognizing, or licensing the practice of prostitution; and abolitionists are those who oppose all statutory enactments or police decrees authorizing the inscription or medical examination of prostitutes, as well as all

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laws which bear upon only one of the two parties involved. Still another misconception will be exposed in the course of the present chapter: opponents of abolition (i.e., those favouring regulation) often assume that abolition is identical with *laissez-faire*; they argue that if the regulatory system is swept away no apparatus remains by means of which prostitution can be kept in bounds. Without at all prejudging the case either in favour of or against abolition, the notion that abolition is a purely negative policy beginning and ending with the ignoring of prostitution may be characterized as baseless.

Generally speaking, the immediate effect of abolition is to place the mere act of prostitution in the same position as any other private vice. The prostitute as such is like the drunkard as such, or the opium-eater. A woman, for example, who prostitutes herself for money is in abolition communities in the eye of the law in precisely the situation of the man whom she has gratified: if the pair give no offence, the State takes no cognizance of the act. If decency is violated, if disorder is created, if neighbours are scandalized, in some countries if disease is communicated, society considers itself warranted in interfering, just as it interferes in other circumstances to preserve or to promote the peace and health of the community. In Paris, as in London, in Budapest, as in Copenhagen, the mere act of irregular copulation is not regarded as a crime, even though money passes; even in Germany, despite the letter of the German law,

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which brands all non-registered professional prostitution as criminal, inoffensive prostitution for money is treated like ordinary immorality and is not interfered with. So far, then, regulation and non-regulation are alike. There are, however, two distinct differences. In regulated towns, inscribed prostitutes are treated differently from non-inscribed prostitutes; in non-regulated or abolitionist towns, all prostitutes are regarded as alike. In regulated towns, what is an offence if committed by a non-inscribed woman is not an offence if done by an inscribed woman. If street-walking is forbidden to one, it is forbidden to all. If disorderly houses are illegal, they are illegal: they are not legally authorized for one group of women and criminal for another group. From the standpoint of positive policy, this is a significant difference, for it favours the formulation of a general policy applicable to the phenomenon as a whole.

The second distinction relates to the legal forms employed in dealing with infractions of public order. I have described the methods employed in regulated towns; by the act of inscription the woman surrenders the rights and privileges of a human being; she makes herself a legal, as she is already a social, pariah. In abolitionist countries, offences against order, decency, or health committed by prostitutes are handled precisely as are the same offences when committed by other persons. The law operates along established lines for all offenders alike. If summary

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procedure is prescribed—i.e., a hearing before a magistrate without a jury—it is prescribed for all persons accused of the offences in question. In any event, the accused has every opportunity and facility to make a defence,—attorneys, witnesses, and the right of cross-examination. In England, a writ of habeas corpus would promptly take her before a court of competent jurisdiction, if any ground for arbitrary detention could be made out. The issue between regulation and abolition will in this book be decided by the outcome of a comparison between them in respect to order and disease,—the two aspects of prostitution with which regulation undertakes to deal; nevertheless, the characteristic differences above touched on cannot be overlooked, if the situation is to be grasped in all its essential bearings.

Though consistent in their indifference to prostitution in itself, the statutes of abolitionist countries provide more or less amply for the phenomena that are its prompt and wellnigh inevitable accompaniments: so prompt and so inevitable indeed, that, for practical purposes, prostitution itself can almost be said to be dealt with. A woman may indeed prostitute herself with impunity; but if without reputable occupation, she may be taken up as a vagabond. She may sell her favours without for that act incurring the penalties of the law; but she may be taken up for street-walking, for solicitation, for keeping a brothel,—for any one, indeed, of the steps by

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means of which she procures trade enough to keep breath in her wretched body.

Close as the prostitute thus always is to the clutch of the law, the distinction in principle is broad and clear. The prostitute is an object of police action in abolition countries only when guilty of offences against order and decency. Her business can with difficulty be conducted without such offences. The police are not asked to intervene on the ground of immorality. In this case, they would be required to discharge an entirely new duty, distinct in quality from anything else they do: they would become "*custodes morum*"—guardians of public morals, instead of guardians of the public peace. To do the latter they are competent, for breaches of the peace are open, obvious, concrete,—perceptible by the ordinary senses of sight and hearing. It is quite different with offences in the forum of morals. Hence, as long as the police deal with the concrete infractions by means of which prostitution tends to bring itself into the net, they can act consistently; should their range be extended so as to cover prostitution as such, a partial policy would result: they could not act, unless guilt were obvious; and this justified failure would create precisely the opportunity for corruption and collusion that originates from regulation.

The English law provides: "Every common prostitute or night-walker loitering and importuning passengers for the purpose of prostitution in any

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street, to the obstruction, annoyance, or danger of the residents or passengers" may be arrested by a constable without warrant and on summary conviction be fined 40s. or imprisoned fourteen days. In the Metropolitan Police District of London a prostitute is liable to the same penalty, even though actual solicitation is not proved. The English police have therefore full power and authority to clear the streets.

The law is equally clear on the subject of disorderly houses or brothels. A brothel is in England defined as a "place resorted to by persons of both sexes for the purpose of prostitution"; it need not be a whole house and may be a single room, but it does not include a house that is occupied by one woman who is there visited by many men for the purposes of unlawful intercourse nor a house let out in separate apartments to prostitutes in which the owner does not live and over which he has no control. The English definition is thus broad enough to include not only outright resorts, where prostitutes live and practise their trade, but *rendezvous* houses and hotels where rooms are let for immoral purposes to transient customers without baggage. The Common Law viewed the brothel as a nuisance, on the same footing as a gaming-house or any place frequented by noisy and disreputable characters. With the passage of the *Criminal Law Amendment Act* of 1885, however, more expeditious procedure was introduced. The Act penalizes "any person who keeps or manages or acts or assists in the management of a

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brothel," permits the use of premises he controls for the purposes of habitual prostitution or is a party to such use. Places kept for public dancing, music, and other forms of entertainment as well as taverns, lodging-houses, etc., must be licensed; and, as we shall see, their relations to the practice of prostitution have been greatly affected by the general change of policy in this respect.

The statutes governing the provincial and Scottish cities are not the same in all respects as those applicable to London, but in the upshot there is little difference. The *Towns Police Clauses Act* is the legal warrant on the basis of which the provincial authorities proceed. Certain towns, however, operate under special acts, not materially different in theory or application. The law of Glasgow, for example, runs as follows: "Every prostitute or street-walker who on or near any street loiters about or importunes passengers for the purpose of prostitution shall be liable to a penalty." In so far, therefore, as the letter of the law is concerned, it is clear that abolition in England by no means involves a policy of *laissez-faire* as respects the outward manifestations of prostitution. This is perhaps a sufficient refutation of the commonly made statement that the English law "ignores prostitution," "shuts its eyes to it," "refuses to recognize its existence," etc.

At the present time, the abolition legislation of Norway and that of Denmark—largely modelled upon it—are perhaps the most influential of all statutory

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enactments dealing with prostitution. In Norway, a severe penalty is attached to the maintenance of houses of prostitution; the ordinary provisions of the criminal code enable the police to arrest women for intoxication, for solicitation, and for other violations of decency. Persons who for their own profit aid "in the immoral intercourse of others or take advantage of such immoral intercourse" are liable to imprisonment up to two years.

The Danish law of 1906 follows along the Norwegian lines. It repeals the law of 1866, by which regulation had been instituted, and, as Police Inspector Schepelern-Larsen acutely remarked, the "prostitute's recalcitrancy was rewarded," for the woman twice punished as a common prostitute had—as elsewhere—been inscribed and was thereafter privileged to pursue the course for entering upon which she had twice suffered a penalty! The new law abolishes this privilege; it denounces the common prostitute as a vagabond; any one who solicits or invites immorality in such wise as to offend against the sense of shame, causes public scandal, or annoys a neighbour is liable to punishment; bordells are expressly forbidden, and severe penalties are aimed at those conducting places of assignation; the police are empowered to prevent keepers of hotels, cafés, and restaurants from utilizing immoral women as waitresses.

The Dutch law of 1911 for the prevention of immorality bears with especial severity on the viola-

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tion of minors and the promoting of immorality—the latter intended to suppress bordells, and to prevent third parties from profiting through the demoralization of others. Local ordinances in some instances go even further. Street order is a matter of local determination. At Amsterdam the ordinance reads: “Women are forbidden to take their stand on the steps or in the doorways of taverns and beer-houses or other houses accessible to the public, or being within the houses to attract the attention of passers-by to themselves by a deliberate act of communication or exposure.” But a more formidable weapon is put in the hands of the authorities by the following proviso: “Women are forbidden to stand in the public streets . . . or to walk up and down in the vicinity after a police officer has ordered them to move on.”

It is perhaps unnecessary to enter into the question at greater length in order to show that abolition does not mean *laissez-faire*. Switzerland, where the discussion has thus far been left to cantonal regulation, may serve as a concluding instance. In Zurich, to take a fair representative, persons who provide opportunity for the immorality of others or derive a profit therefrom (i.e., bordell-keepers) are liable to heavy fine and five years of hard labour. For the maintenance of decency in public thoroughfares, it is provided that “women who in public places offer themselves for immoral purposes or tempt thereto may be imprisoned up to eight days.”

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Clearly, therefore, it does not follow that the laws are silent or ineffective merely because prostitution is in itself regarded as a vice, not as a crime; on the contrary, legislation may in non-regulated countries be at once more comprehensive and more consistent than in regulated communities. For the sake of simplicity, it may be well to continue the method of comparison between regulation and abolition. As far, then, as the legislation goes, the police authorities of London, Copenhagen, and Christiania evidently have a simpler, more logical and more thorough-going statutory basis from which to proceed in the protection of the public and of the prostitute herself than is possessed by the police of any regulated town or country; they can act consistently in reference to all prostitutes. This point, however, must not as yet be regarded as decisive of the issue. It still remains to be seen how the competing systems work.

Public opinion is unquestionably the most powerful of influences. Be the letter of the law what it may, actual achievement under it will depend first and foremost on what general sentiment demands and consistently supports. As abolition has been brought about in part by agitation on ethical lines, one would expect a more highly developed public opinion in abolitionist countries. This undoubtedly exists. Curiously enough, public opinion in this entire matter is more or less self-contradictory. On the one hand, orderly streets, free of scandal, are

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required; on the other hand, a blunder made or apparently made by the police is violently resented. The same opinion that demands the former stands ready to burst into flame in the event of the latter. The Royal Commission which, in consequence of a supposed blunder, investigated the London police, declared that "the main difficulty in enforcing the law (as to solicitation) is caused by the over-sensitivity and impatience of the public whenever there seems ground, however slight, for alleging that there has been a mistake in arresting a woman on a charge of solicitation. . . . These displays of emotion are curious in the case of a law-abiding and law-respecting community such as ours seeing that similar feelings of indignation are rarely aroused in cases where men are acquitted of crime of the greatest gravity. Every one must, however, recognize that it is a very terrible misfortune for an honest woman or girl to be publicly tried on a charge involving an imputation of peculiarly disgraceful unchastity. Whatever may be the causes of, or excuses for, these gusts of popular emotion, there can be no doubt that they tend to some extent to impair the activity of constables."

The construction of the law by the courts—itself both a result and a maker of opinion—is likewise an important factor in deciding what legislation will achieve. Wherever magistrates disagree as to the precise intention of the statute, a twilight zone is created, in consequence of which the scope of the

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law is indirectly narrowed. Finally, the rules, the policy, even the tradition of the police department in applying statutes and judicial decisions and in endeavouring to meet, without outrunning, the demands of public opinion, tend now to stretch, now to restrict, the law as it stands on the statute books. For example, the Danish statute punishes any exhibition or act that disturbs order, offends the sense of shame, etc. The courts, it is now pointed out, might have deprived the section of all its force by requiring the production of a witness whose sense of shame was actually outraged. They have, however,—undoubtedly governed by public opinion—construed the provision to refer to conduct which would naturally give such offence,—and the policeman's evidence is sufficient. This section has therefore been effective.

It is our present task to ascertain what actually happens in abolitionist communities and to compare the results with the conditions described in previous chapters. The practical outcome of the English statutes, as interpreted by the courts and as demanded by public opinion, is reflected in the regulations promulgated for the guidance of constables by the Commissioner of the Metropolitan Police. In respect to brothels, the London constable is instructed to "note in his pocket-book and report any house apparently used as a brothel." The constable takes no further step on his own initiative; arrests are made on direction of borough or other authorities, after

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complaint by neighbours or others interested. Prostitutes on the street are to be dealt with discreetly—"not to be interfered with unnecessarily." The police act on their own initiative only if the behaviour of the woman is offensive, annoying, or scandalous. The unobtrusive prostitute is not molested. Keepers of licensed premises are to be reported if they permit prostitutes habitually to resort to their establishments.

The limitations thus placed on the constable are partly due to the size of the area covered. I have already had occasion to remark how certain situations change qualitatively whenever they undergo a radical quantitative expansion. Centralized supervision of the individual conduct of sixteen thousand policemen dealing with so delicate a matter as prostitution is difficult in the highest degree. When does the conduct of a woman stamp her as a prostitute in such wise that a magistrate will sustain the constable who apprehends her? In small towns, where everything readily becomes notorious, it is a comparatively simple matter to check up the doings of the police; where the head is sound and the motives are pure—as is regularly the case abroad—more or less initiative may be safely entrusted to a constable who is thus easily supervised. But in London the magnitude of the task would expose the patrolman to grave danger of corruption and collusion. His initiative is therefore restricted to concrete and overt instances. Further steps depend on the action of higher authorities,

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—a machinery readily set in motion by protest or complaint.

In consequence of the policy described above in respect to street-walking, somewhat spotty conditions characterize the metropolis. Women are distinctly abundant in the streets radiating from and in the vicinity of Trafalgar Square, Oxford Circus, Regent Circus, and the various railway stations. As a rule they conduct themselves unobtrusively, communicating furtively with passers-by, though, after midnight, they are at times more aggressive. Whenever the police are sustained by the aroused public opinion of a given locality, improvement ensues. In this way, the Strand, only a few years ago one of the scandals of London, has been rendered comparatively innocuous. Besides the transformation wrought in particular spots, an unmistakable general improvement is noticeable throughout London. On this point it is hardly necessary to do more than to quote the words of Mr. W. A. Coote: "I have known London for the past forty years, and my memory goes back to quite forty-seven years. I knew the Haymarket and Piccadilly very well forty-seven years ago and I say that London to-day, compared with what it was forty years ago, is an open-air cathedral." The laws remain the same, but popular demand has caused, or enabled, police and courts gradually to make more of them. The increased activity of the police is evidenced by the

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greater frequency of arrests, 2,409 in 1901, 4,206 in 1905. The courts have more than kept pace.

How stands it with the brothel or disorderly house? A brothel—it may be well to repeat—is a house in which prostitutes live, to which they bring or in which they receive their patrons. It has been held, however, that no brothel exists where only one woman prostitutes herself for money. But wherever two or more women occupy premises for the purpose of carrying on prostitution, a brothel exists, no matter what the subterfuge employed,—be the quarters in question their living-rooms, a pretended manicure or massage establishment, or what not. Such resorts nowadays lead a stealthy, uneasy, transient life in many sections of London, including the suburbs. In the West End a few fashionable brothels are found, located where they are least likely to be noticed, and transacting their business with a limited clientèle procured through introduction. Much more frequent, but also much less stable, are the brothels of the Haymarket region, masking as massage rooms, baths, as schools for the teaching of foreign languages or elocution, or as rheumatism cures. The women conducting these places advertise in certain periodicals and even send "sandwich men" parading through Regent Street and Bond Street. The places are open only during usual business hours, though they make appointments elsewhere for other times. The police are, of course, usually informed; but in accordance with their policy are

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content to preserve decorum until outside agencies move; whereupon the brothel is broken up, the inmates being either arrested or dispersed. Certain sections of London have been greatly improved by organization work of this type. For example, the Central South London Free Church Council has been beneficially active in South London. In 1909, this organization prosecuted 68 brothel-keepers; in 1910, 53; in 1911, 32; the reduction being due not to decreased vigour, but to better conditions. The activities of the police in this direction are exhibited in the following table:

Year	Taken into Custody			Discharged			Convicted, held to bail, or committed to Reform School		
	Males	Females	Total	Males	Females	Total	Males	Females	Total
1901	145	243	388	11	27	38	134	216	350
1902	142	271	413	16	25	41	126	245	371
1904	292	442	734	30	55	85	260	386	646
1905	269	431	700	29	40	69	240	390	630
1906	264	403	667	24	40	64	239	363	602
1907	187	305	492	14	27	41	173	278	451
1908	154	192	346	13	19	32	132	152	284
1909	184	219	403	17	17	34	160	174	334
1910	110	182	292	9	16	25	90	139	229

A certain amount of repressive activity, evoked in the same fashion, goes on in reference to assignation hotels, and other resorts apt to be frequented by prostitutes. The public drinking-house is the object of more severe measures, in furtherance of the policy of reducing the number of taverns. A license is in

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danger of cancellation, whenever prostitutes are harboured.

English activity in respect to prostitution thus involves the suppression of brothels and the gradual improvement of street conditions. Too little is accurately known regarding the dimensions of the prostitute army to decide how this policy affects the number of women engaged. There can be no doubt, however, that it diminishes the attractiveness of the career on the financial side; for the women are practically forced to pick up their customers on the street under conditions very unfavourable to the canvass for trade, and in the long run diminished returns must check the recruiting process, on the professional side at any rate.

Our main interest at this moment is, however, comparative. London, Berlin, Paris, and Vienna are cosmopolitan cities. London does not regulate prostitution; all the others do. London has no morals police; all the others have. London watches prostitution through the ordinary uniformed force acting under strict instructions; the others employ plainclothes men with special powers. London possesses no arbitrary police process; all the others do. Does London suffer in the comparison in respect to public order and decency? Most assuredly not. Conditions have improved everywhere; but I suspect there has been more amelioration in London and that it is likely to travel further than anywhere on the Continent. The cities differ, of course, in regard to

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many important elements,—race, tradition, ideals; and these elements affect more or less the aspects of social order with which we are dealing. But in any event the evidence warrants us in concluding that, taking the actual situation as we find it, the English metropolis shows no sign that it lacks a police instrument that the others possess.

I am by no means disposed to imply that London has exhausted the possibilities of wise action in reference to prostitution,—that its procedure leaves nothing to be desired. There would, for example, appear to be no good reason why a prostitute calling herself "Nurse Dora" should be privileged to advertise herself on bill-boards circulating up and down Regent Street and Bond Street. But the issue is for the moment between regulation and abolition and we are interested in ascertaining whether, as the matter now stands, abolition communities necessarily fare worse in respect to external order than regulation communities, and whether, in general, abolition promises better or worse results than regulation.

The London method, it is often urged, scatters prostitution, thus rendering it more difficult to deal with and more dangerous to the innocent poor. Neither assertion is, as compared with regulation on the Continent, actually or necessarily true. In so far as prostitution tends to be associated with crime, dispersion is sound policy; the police of set purpose break up nests of crime. There are, however, limits to dispersion, fixed by rental, character of the neigh-

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bourhood, etc. Hence the scattering is continually interrupted by brief fortuitous settlement here and there, or by longer joint sojournings in buildings out of which decent people are gradually edged. This happens in London; but, unfortunately for the contrast set up by regulationists it happens everywhere else as well. Berlin is in this respect precisely like London; the Berlin prostitute lives anywhere, well-nigh everywhere, and, besides, frequently possesses a key to a room in an apartment building close to the scene of her nightly perambulations. In Vienna, as I have pointed out, the police rules expressly forbid needless interference with women's preferences as to domicile; in Paris, they congregate in the congenial environment of Montmartre and the Latin Quarter; but they are not excluded from fashionable thoroughfares such as the Avenue Victor Hugo, or the spokes of the wheel radiating from the Arc de Triomphe.

An interesting light is shed on the relation of street and bordell, discussed in a previous chapter, by the experience of London. Regent Street and Piccadilly are still notorious for the number of loose women frequenting them; but far less so than formerly. In this same area over three-hundred disorderly houses have been closed in consequence of legal proceedings in the division of St. James, covering about three-quarters of a square mile. The tightening of police control may explain the improvement in street conditions; but the coincidence of improved streets and closed brothels shows clearly that suppression of

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brothels does not necessarily result in aggravation of street conditions; there is, as I have previously pointed out, every reason to believe just the reverse.

A word as to the effect of abolition on the character of the police. I have emphasized the admirable quality of the continental police; the weak spot—and that of varying seriousness—is the morals division, which, capable of proving anywhere a localized infection, has in some instances become an open sore. That abolition is solely responsible for the difference I do not affirm; but it is at least noticeable that the police of the British metropolis have passed practically unscathed through the most searching criticism. Exceptions were indeed found; a force approximating 17,000 men could hardly be entirely lacking in black sheep. For example, the Royal Commission verified thirteen complaints preferred by superior officers against constables,—one of consorting with prostitutes, twelve of relations with brothel-keepers,—all severely dealt with; but, on the whole, they “had no hesitation in coming to the conclusion that the force discharge their duties (in respect to prostitution) with honesty, discretion, and efficiency.”

The charge most readily made relates to the corruption of constables by prostitutes in the street with a view to securing immunity from arrest. I have shown the practical difficulties in the way of controlling this matter in regulated towns where certain women have the right to promenade,—a right which can be corruptly extended to others, and no

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one be the wiser; for who but the policeman can judge whether a prostitute is entitled to the privilege of the streets? In abolition London the situation is so far different, that any exceptions raise at once a presumption of wrong-doing or negligence. Hence, whatever the policy pursued, be it lax or strict, uniformity is necessary. Sir Edward Henry, testifying before the Royal Commission, declared: "No complaint, oral or written, has been made to me during the three and a half years I have been Commissioner, charging the police with levying blackmail from women of the unfortunate class. I am satisfied that if any individual man were to take money from these women it would come to the knowledge of his comrades, who would look upon him as an unmitigated blackguard and that he could not remain in the force for long. . . . It is quite impossible that there should be any systematized blackmailing, because the variation in the beats is so great and in a street like Regent Street, where on either side there are parts of ten beats, it would not be of the slightest use to a woman to bribe the first constable she came to, because she would only go a few yards before she came to another beat."

The police of the English metropolis is under the control of the Home Office of the National Government; in all other towns, the force is managed by the Watch Committee of the Town Council. The latter are therefore, perhaps, a bit more sensitive to public opinion and depend more nearly on the tone

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of the municipal government. Fortunately in Great Britain this tone is nowadays high. This has not, however, always been the case. As recently as the nineties, the Chairman of the Watch Committee and head of the licensing board in Liverpool was the attorney of the brewing interests, and brewers were largely represented on the committee itself. It was no accident, perhaps, that with these conditions the town possessed a protected vice district containing upwards of four hundred houses and that the public houses (saloons) systematically harboured prostitutes. A vigorous agitation resulted in a complete rehabilitation of the local government. The liquor interest was excluded from the Watch Committee and neither in Liverpool nor elsewhere is it now regarded as fit to be represented thereon. A determined and systematic effort has also been made to restore the streets to decency and to destroy brothels. For this work, in the provinces and Scotland, as in London, no special police machinery exists. Prostitution is handled by the regular force, uniformed or plain-clothes, by men, that is, who deal with all other infractions of law. The genial inspector of the Birmingham police, to whom I am beholden for an inner view of the police situation there, was conscious of no necessity for any special machinery. He did not know how many prostitutes there were in Birmingham, no police officer had ever tried to find out. He could not tell, therefore, whether they were more or less numerous. Why should he? The law-

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abiding prostitute must be the concern of other agencies. The law-breakers among them he knew and watched precisely as he knew and watched law-breakers of other kinds. Walking the streets at midnight, he pointed out to me women who were thieves and pickpockets, precisely as the haunts of law-breakers, prostitutes and others, were pointed out to me in London. No extraordinary mechanism,—no mechanism, I mean, not otherwise needed in dealing with urban crime,—was needed in either place for this purpose; and no lack of knowledge or power to cope with individuals or with emergencies was felt or betrayed.

In these circumstances, the provincial like the London brothel leads a stealthy existence. Two or more women occupy a house or flat for a brief period. The more prosperous occupy small houses on the edge of town; the word is passed through cab-drivers or from "friend" to "friend." In certain sections of Manchester the position of the window shades and of the front door is a signal to the initiated. Shortly conscious of being observed, the women fold their tents and steal elsewhere, repeating the performance. Not infrequently, neighbours complain and the town authorities apprehend the inmates, subjecting them to fine or imprisonment. Statistics convey some notion of the vigour of the policy. In Liverpool, for example, there were 162 prosecutions for brothel-keeping in 1902, with 147 convictions; 196 prosecutions with 116 convictions

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in 1910. In Edinburgh, the number of brothels known to the police shows a marked diminution,—from 45 in 1901 to 29 in 1911.

Street conditions have undergone precisely the same evolution previously described as generally taking place. Time was—and that within recent memory—when importuning on the main highways was wellnigh unrestrained. Nowadays the prostitute walks more or less swiftly by, indicating her object by a stealthy glance or mumbled word. Hoping for a nibble she retires into a side street waiting to be approached by her supposed quarry. If an arrangement is perfected, the pair retire to the woman's room or to an assignation hotel, though the latter operate with great caution. Parks, cabs, even railway compartments are utilized. Not infrequently a journey to a suburb is urged; in Liverpool, a street-walker suggested "Bootle," several miles distant, as the nearest place that was sure of being free from interruption or molestation.

The policy described keeps the brothel inconspicuous and relatively infrequent; it renders the streets fairly unobjectionable. Does it accomplish anything more? The officials are entirely candid on this point. The Birmingham inspector "does not believe that the amount of prostitution has been decreased through keeping it 'on the move' or through punishment. It disappears here, to reappear there." A prominent and experienced member of the Watch Committee expressed similar views: "The

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present policy drives women from one cover to another ; it prevents anything like a tropical growth." In Edinburgh the actual number of notorious prostitutes appears to have been reduced, for the police returns, 424 in 1901, had shrunk to 180 in 1911.

It is not pretended that repression and punishment achieve anything with the hardened offender. The Chief Constable of Glasgow reporting to the corporation of the city, states : " The imposition of a fine does not prove a deterrent ; any person may pay the fine and the woman continue her way of life." The Chief Constable of Liverpool reports as " a typical, not exceptional " case that of a prostitute fifty years old, first convicted in 1884 and in 1910 sent to prison on her 156th conviction. In Edinburgh, coincidentally with the reduction in the number of notorious women, the number of arrests rose from 158 in 1901, to 773 in 1911, it reached 1,020 in 1910. Did the increased frequency of arrests, due to the instructions issued to the police to act without warning lead to an exodus from the city ? Not improbably ; but it was futile for the reform of those who remained, for some of them were convicted as many as eight or ten times in a single year. Nor are hard-labour sentences more efficacious on the Continent in deterring women from continuing a dissolute life. Of those thus punished at Stockholm, between 1882 and 1884, 96.9% persisted in their evil courses after the expiration of their prison terms ; between 1885 and 1889, 98.3% ; 96.7% in 1900-2. The small remnant

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did not necessarily do better; they may have left the city or escaped notice. In regulation, as in abolition communities, the system of fining and imprisoning offenders—be they prostitutes or not—is futile, expensive, and demoralizing.

Meanwhile, below the surface, lie the frightful evils out of which professional prostitution comes. An acrid controversy in Glasgow between the Inspector of the Parish and the Chief Constable throws a flood of light on a situation which neither regulation nor abolition touches. The former cites the volume of existing immorality, the frequent violation of children, the existence of ice-cream shops which are merely cloaks for indecency; the latter replies that prostitution is in itself no crime, that arrests can be made only where habitual prostitutes are guilty of importuning, and that incidental prostitution and immorality lie outside the province of the police. Thus even though regulation is condemned, it is necessary to remember that the serious problem remains. Our immediate concern is, however, once more, simply as to whether the provincial and Scottish towns lose anything through not possessing the regulatory apparatus found in continental towns of the same size. There can be but one opinion on this point: no single phenomenon can be cited tending to show that the situation would be bettered by regulation or that it suffers for the lack of it.

The comparison between regulation and abolition can, however, be most fairly made on the Continent,

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where the manner of living, the point of view, and the social traditions of regulation and abolition communities are more nearly alike. Moreover, the abolitionist cities that enter into the comparison have all had regulatory systems,—some of them quite recently. What have they lost through abolition?

The subject is by no means a simple one, in part at least because its discussion has been carried on in a spirit of acrimonious controversy. Complete and dispassionate accounts of conditions during and after regulation either in regulated or abolitionist communities have nowhere been prepared. Moreover, all the cities involved have grown with amazing rapidity; they have become larger, richer, more luxurious, in some ways more frivolous. This increased playfulness is certainly reflected in the increase of some forms of immorality without involving in any degree the issue between regulation and abolition.

Continental abolition has usually required two steps. In the first place, bordells were suppressed; after a brief interval, registration and medical inspection have been abandoned. Whatever has happened in consequence of abolition, the mere suppression of the bordell can have had little immediate or direct effect. The bordell was, as previously pointed out, moribund anyway; its legal extermination involved hardly a perceptible shock. On the face of the matter, it may, therefore, be affirmed that nowhere in Europe has the closing of bordells as the first step

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towards abolition involved unfavourable consequences.

This is not to say that the other forms of prostitution—the concealed brothel, the counterfeit employment, the low drinking-shop, the dance hall, etc., have been lessened or mitigated by the abolition of the bordell. Whether any particular surreptitious form of bordell exists or not is not a question of abolition or regulation, but of the law, the manner of its enforcement, the condition of public opinion, the attitude of the courts, and the general feasibility of effective repression. These particular forms are found everywhere. I have no desire to understate the facts. Resorts serving the purpose of bordells are almost universally met with—with or without regular bordells. In Amsterdam, one finds clubs or pretended "pensions," to which the visitor is conducted by a cab-driver or directed by an acquaintance or a hotel porter and in which he is entertained in whatever fashion he prefers. Along the Binnenrotte in Rotterdam and in the narrow out-of-the-way streets of old Zurich, cigar shops, whose outfit consists mainly of empty boxes and bedizened females, unmistakably proclaim their purpose. The purchaser of one of the few cigars in stock, unless an object of suspicion, need only lay a coin of moderate size on the counter in payment; he will soon learn that there is no change in the drawer, but that there are other ways of squaring the account. In many towns, too, "American bars" are found, most of

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them liquor establishments behind the counters of which prostitutes hand out liquor and encourage assignations. The proprietors escape punishment because the assignations are fulfilled elsewhere than on his premises. Filthy establishments more flagrantly devoted to the same purposes exist in abolition Zurich as in regulation Bremen.

The weight of authority—lay and official—unquestionably favours the view here taken,—that the suppression of the bordell has operated in the public interest. True enough, a writer discussing the entire evolution of the problem, claims that the disappearance of the bordell in Zurich has been accompanied “by an increase of secret ‘hole and corner’ prostitution, beyond the scope of the law,” but no argument or evidence shows that abolition is in any wise responsible for the fact, if fact it be. It is assuredly not without significance as militating towards a directly opposite conclusion that prosecutions for pandering have in the long run decreased, not increased, although the suppression of bordells would, if general conditions actually deteriorated, necessarily lead to an increase in the activity of the pander. The learned chief of the Zurich police declared to me that the bordell system “had earned practically universal disapprobation. No one would now again urge the introduction of tolerated houses, not even the unprejudiced and liberally-disposed. Houses where a madame can hire out girls and acquire profits are not wanted by any one.” An

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important official in Christiania urged that whether regulation is desirable or not, the destruction of the bordell was an advantage. The foregoing judgments are based on police grounds; assuredly the case against the bordell would be all the stronger, were indirect considerations also allowed to weigh.

Nowhere does the suppression of the bordell aggravate the domicile problem, which, as a matter of fact, settles itself in abolition towns, just as it does in regulation towns. The English, Swiss, Dutch, and Scandinavian prostitutes seek rooms in sections occupied by the poor, usually paying a considerably higher rental than is paid by decent folk. In some cases their character is concealed and their business transacted elsewhere; in others when neighbours or fellow-tenants are too poor or too careless to protest, the women utilize their own lodgings. The street-walkers of London tend to congregate in apartment houses or "mansions" from which respectable families are crowded out. If renting of rooms to prostitutes is in itself made a crime, the law is broken. Some interesting statistics on this point come from Zurich where, since 1897, the renting of a domicile to a prostitute constitutes a punishable offence. As the execution of the law has been more efficient, the percentage of homeless prostitutes, who sleep in public lodging-houses or elsewhere, now here, now there, betrays a tendency to increase. The domicile problem is indeed soluble only as the general problem

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of prostitution itself is solved; it is made neither better nor worse by abolition.

The preceding discussion makes clear that the bordell played but a slight part in the prostitution-economy of Norway, Denmark, Holland, and Switzerland at the time of its abolition. The step was of moral rather than of immediate practical importance. It indicated a change in the attitude of society, that might in time produce results; but there was no perceptible result at the moment. How stands the situation in respect to order in the streets?

Of the abolition cities that I visited, prostitutes are most prominent in the chief thoroughfares of Copenhagen, particularly in the vicinity of the Tivoli, a popular amusement resort in the heart of the town, and on the street corners and open squares near-by; from time to time they retreat into the cafés or variety shows abounding in the vicinity. The main shopping street of Christiania—Karl Johans Gade—appears to be free of promenading prostitutes by day; at night, they are in distinct evidence there and in amusement gardens close by; once more their demeanour is quiet and unobtrusive. In the Hague the street prostitute is barely noticeable. Rotterdam—a city of different type—presents a slightly different aspect. In the earlier hours of the evening, women hasten to the skating-rink, dance halls and cafés. When, at midnight, these resorts close, prostitutes appear for a while on the streets. The streets of Amsterdam were, at the time of my visit, the cleanest

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I had anywhere observed. Zurich is not substantially different from other abolition towns. In reply to a question, an inquirer was informed by a street-walker that she would shortly leave for Geneva,—a regulation town,—“there is too little doing here.”

The number of police arrests required in order to bring about the conditions above described does not seem excessively large. In Christiania, I was officially informed that “arrests for solicitation were few”; in Amsterdam (population 580,960) 370 arrests were made in 1910, 382, in 1911. The situation in Copenhagen (population 462,161) is portrayed by the following statistics: for soliciting, offending against “the sense of shame,” and “vagabondage,” 288 arrests were made in 1907, the year succeeding the repeal of regulation; in 1908, 344; in 1909, 432; in 1910, 414; in 1911, 353.

Have conditions in the towns above named been affected for the worse by the sudden and recent change from regulation to abolition? I did not find a single police officer who answered that question in the affirmative. The division chief at Copenhagen stated to me: “Regulation was entirely dispensed with in 1906; in the interval the police have learned how to procure all the information and to take all the steps for which at one time a morals police and regulation were supposed to be necessary.” When the new law abrogating police control was proposed, objection was made on the ground that, in the absence of police power to confine prostitutes to

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specific localities, they would infest the whole city. This has not happened. Elsewhere, I was informed that the former partisans of regulation were "struck dumb." If abolition were working badly, one would hear "I told you so" from its original opponents; there are, as a matter of fact, very few regulationists any longer in Copenhagen, though certain points to be shortly discussed are not yet clear. Officials of the same rank in Christiania stated: "Regulation will never be restored." An incident reported from Christiania, however, is interesting as showing that everything that has happened since abolition has not necessarily happened on account of abolition. In 1899 it was, for example, pointed out at a medical conference in Christiania that street conditions had become temporarily worse. The speaker attributed the fact to abolition; but the argument was presently refuted by the statement that the real reason for deterioration was the instruction to the police that "they had no right to interfere with soliciting unless it was done in a distinctly indecent manner." In Holland the abolition movement spread from town to town,—an improbable course, had the absence of regulation done harm. The Chief of the Hague police assured me that he "cherished no regret on the score of abolishing regulation or bordells"; the division chief admitted that, although having been a regulationist during the regulation period, experience with the alternative system had made him a strong abolitionist; he would "advise all cities to abolish

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regulation and none to introduce it." No stronger expressions were anywhere used than by the Amsterdam Chief and his staff; they were outright abolitionists; they believed regulation inseparable from police corruption—an opinion echoed elsewhere as well; they found no greater difficulty in handling the problems—criminal or other—in consequence of abolition. The Swedish commission reports on hearsay that "the experience of countries which do not have special suppression of whole-time prostitution as such" is deplorable; but Professor Johansson notes in reply that "it would have been well to indicate the countries in question." Christiania alone is mentioned by name, and as to that, candour requires them to add that "nothing really importunate or offensive was observed in the conduct of the women."

I have given above the verdicts of the police who have lived under both systems, an experience entitled to great weight. There is every indication that the popular verdict coincides. In the Canton of Zurich, a referendum, proposed in favour of returning to the abandoned system, was defeated by a vote of 49,806 to 18,016. A newspaper comment on the result warns the "interests" in favour of regulation that "every proposition emanating from them is hopeless. If ever a revision of the present statute is undertaken, the initiative will have to come from disinterested jurists, physicians, and judges."

A comparison of the streets of abolition cities with

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those of regulation cities sustains the conclusion to which the preceding statements point. Christiania is as decent as Stuttgart. As between Zurich and Geneva, the contrast is all in favour of Zurich, though it is twice as large. Even the sea-port towns constitute no exception. The sailors' quarter of Rotterdam—the Schiedamschedyk—is a cosmopolitan affair, with drinking and dance halls of variegated character. Prostitutes and their customers come together in them; at times a woman standing in a door-way salutes a passer-by. But up to the small hours of the night, the streets were free of scandal.

Reference to the statutes previously described will show the reader that the police generally enjoy the right to proceed against the prostitute as a vagabond. This is the abolitionist counterpart of the regulationist provisions directed against women "without a definite domicile." The vagabondage proviso is largely used only in Copenhagen. Its prominence in the Danish law betrays the dread under which the law-makers worked. Most of the arrests in the statistics before given are due rather to vagabondage than to solicitation. The provision operates in this way. The police having noticed a woman walking the streets (not soliciting) at all hours, presume her to be without legitimate occupation; she is warned; on a second warning her name and address are taken and a printed notice is sent, requiring her to obtain employment and to report the fact. Between 200

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and 300 notices of this kind are annually sent; in 1909, 216 women were once punished, 45 twice, 11 thrice on this charge.

Serious objections are raised to this method of dealing with prostitution. It is criticized as an indirect method of making prostitution in itself a crime, and open as such to the objection that it bears on the woman alone, and on only the stupid woman at that. Justice would require that vagabondage be similarly treated, be the vagabond a man or a woman. The provision is at any rate a somewhat disingenuous subterfuge, for, strictly speaking, the vagrant is homeless; but the prostitute may be treated as a vagabond, despite the fact that she possesses a home.

From a practical point of view, there is the further objection that the statute is so easily evaded as to make its application uncertain and inequitable. The street-walker, attacked as a vagrant without means of support, claims to be a servant, earning a minimum sum,—say twelve crowns monthly; she escapes punishment by pointing to the old woman for whom she works, though the correct relationship is just the reverse, for the older woman is the servant of the prostitute. Like regulation, the vagrancy provision results in harrying the dull unfortunates, while leaving the more pretentious and the more clever quite unscathed.

It was feared that under abolition the percentage of pimps or souteneurs would rise; there is, however, no confirmatory evidence. Even bordell women

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frequently support pimps; the low grade prostitute everywhere has her pimp, regardless of regulation or abolition, and everywhere protects him loyally, as the few successful prosecutions show. In something over a year, only 39 men were arrested as pimps in Rotterdam, 30 of whom were sentenced to hard labour in a tramp-colony for terms running from three months to three years. The bully is indeed a parasite unaffected by the existence of either regulation or abolition as such.

The situation as regards houses of assignation is everywhere on the Continent in such confusion that no definite statement is possible. I have pointed out the fact that these resorts are unopposed in Paris; are harried from time to time in Germany, chiefly on the score of furnishing facilities to clandestine prostitutes; are tolerated in Budapest, on condition of submitting to certain rules,—with the result that both regular and irregular resorts exist there. Abolition towns are in theory hostile to *rendezvous* houses. The actual reduction in their number is, as far as one can judge, nominal.

Regulationist police are honestly afraid that abolition renders it difficult or impossible to keep track of prostitution. But the case is not so desperate after all. The continental police have methods of keeping up with other people,—reputable and criminal alike; and if the machinery which keeps up with the reputable will not answer for the prostitute, assuredly the machinery which is with such difficulty eluded by

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law-breakers will. For example, life and property are probably equally secure in Hamburg (regulationist), Rotterdam (abolitionist), and Birmingham (abolitionist). "As far as crime is concerned," a prominent London police official remarked to me, "crime committed by a prostitute is not different from other crime; it is handled just as other crime is handled and no weakness has been felt in consequence of this procedure." Nor does it follow that thoroughgoing abolition is at all inconsistent with just as complete knowledge of local prostitution as is possessed by regulationist police, should such information be desired. The English police, as I have said, take no interest in the matter until the law is violated,—of course, knowing and observing women given to transgression, precisely as they know and observe other suspects. Influenced doubtless by continental tradition, the police of abolition Rotterdam catalogue women of suspected virtue. The police of abolition Zurich know 400 persons who rent rooms for prostitution though the evidence falls short of technical completeness; in Christiania some 500 prostitutes are known to the authorities; the Amsterdam Bureau is preparing a list for all Holland; after four years of work it contains some 7,000 names; similar lists of pimps, traffickers, etc., with photographs where possible, are found there just as in regulationist Dresden or Vienna. The houses in which the prostitutes of Amsterdam live have also been studied. In 1908, 292 houses with 548 girls

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were located; in 1909, 366 houses with 656 girls; in 1910, 510 houses with 854 girls; in 1911, 597 houses with 968 girls. Copenhagen, fearful of a too sudden plunge into abolition, manages through its "warnings" to reach a similar result. It is clear, therefore, that abolition is consistent with as complete knowledge of the local situation as the authorities think it worth while to procure; in Holland, indeed, there has been more activity along this line since abolition than previously.

For the sake of completeness, it is perhaps worth while to insert another word before closing, as to the bearing of abolition on other forms of prostitution than those I have considered at some length,—the dance hall, the café, and similar establishments that furnish the prostitute an advantageous opening. On the Continent little has been done to insure their decent conduct or to interrupt their connection with the exploitation of vice. In Great Britain, the liquor and amusement traffic have been more effectually supervised and beyond question with good results, as far as the matter has yet gone. Vicious liquor and amusement resorts are not bad because prostitutes fasten upon them; prostitutes fasten upon them because they are bad. They are problems, therefore, to be dealt with quite irrespective of prostitution, though prostitution is indeed deprived of a foothold and an incentive when they are thus dealt with.

That abolition favours police honesty is the unanimous testimony of officials who have experimented.

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with both systems. I was informed at Zurich that the bordell system associated with regulation had resulted in corruption that "for so small a town had reached enormous proportions." Again, in Copenhagen, I learned that, as elsewhere, at the time when police and prostitute were closely related, corruption prevailed; a certain inspector even owned an interest in a house of prostitution and committed suicide on exposure. As I pointed out in dealing with Germany, general corruption is nowhere alleged and the integrity of the head officials is never impugned; but it is believed that, wherever the partial regulatory policy is in operation, a condition is created favourable to more or less demoralization.

It is, however, obvious that, while abolition at once places all prostitutes on the same footing before the law, it does not necessarily follow that a morals police is superfluous. The morals police is imperilled if it is in a position to award favours; under abolition, this peril disappears. Regulation Rome deals with its problems without morals police. Certain towns of abolition Holland tend to create a morals division to observe prostitution; a few men are detailed for the purpose at the Hague. Copenhagen retains a morals police. The English cities are, of course, without any such division. It would appear that the scope of a morals police in abolition cities is at best narrow. Certain it is that no European city relies on the existence of the morals police to maintain the integrity of the main body

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of the force. That integrity is undoubted, but it is due, as I have already pointed out, first and foremost to the character and tenure of the upper officials, and to the sort of relation that exists between the police department and the other government departments.

CHAPTER X

ABOLITION AND DISEASE

Abolition not necessarily *laissez-faire*.—Norwegian handling of disease problem.—Danish plan.—Italian plan.—Voluntary and compulsory provisions compared.—Denunciation of alleged sources of infection.—Attendance at free dispensaries.—Attitude of prostitutes,—of medical practitioners.—Notification of venereal disease.—Hospital provisions for treatment in Great Britain,—on the Continent.—Statistics unreliable and imperfect.—Census of venereal disease in Prussia,—in Sweden,—Venereal disease in European armies.—Regulation without effect in England.—Decline in amount of disease after its abolition.—Prussian army statistics.—Statistics from Christiania,—from Copenhagen,—from Zurich.—Fluctuations in venereal infection.—Reduction in amount of disease.—Abolition more favourable to such effort than regulation.

In the preceding chapter I remarked that though abolition may be accompanied by a *laissez-faire* policy, this is not necessarily the case. The situation in respect to venereal disease best illustrates this statement. We shall see that the public in England is well-nigh entirely indifferent on the subject; almost total *laissez-faire* prevails there. Abolition Scandinavia has, on the other hand, displayed great vigour and originality in grappling with the problem of disease.

The Norwegians were in this matter first in the field with a scheme, the essential points of which can

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be most clearly stated by means of a contrast with regulation. Regulation endeavours to protect the public health by safe-guarding through police agencies the health of registered prostitutes; the distinctive features of sanitary regulation are, therefore, its limitation to professional inscribed prostitutes, its management by the police, and the prison-like nature of the cure. In contradistinction to this procedure, the Scandinavian experiment, generally speaking, aims to reach all those suffering with venereal disease, men and women alike; and it seeks to accomplish this end by transferring the function from the police to the health department and by the provision of free treatment. Separation from the police is intended to allay the patient's dread of becoming involved with the criminal authority, and, as nearly as may be, to establish the feeling that venereal disease is after all a disease and not a crime. The voluntary nature of submission to treatment is intended still further to deepen the impression that the entire matter is left to the patient's intelligence and self-interest—precisely as though he were otherwise afflicted; free treatment is designed to strengthen the inducement and to dispose of the competition of quacks.

The Norwegian law under which this system has been organized dates from 1860; by its terms local health boards with very extensive powers in reference to epidemic and contagious diseases were organized; and these boards were left free to deter-

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mine what precautions should be taken and to require reports.

In order to assist the health—not the police—authorities in controlling the diseases in question, all physicians are required to report daily—usually without names—their venereal patients, to furnish the patient with a copy of the laws relating to the communication of venereal disease and to require the patient to sign a statement acknowledging the fact that he (or she) has been thus explicitly warned. The physician also endeavours to ascertain the source of the infection and the person inculpated is reported to the Health Office. This latter individual on calling by invitation is informed of the nature of the charge—the name of the accuser being withheld—and is invited to submit to examination at a hospital or by a municipal physician. If disease is thus proved to exist, treatment can be compelled, to the extent of forcibly confining the infected person in a hospital. But reliable persons receive ambulatory treatment at the hands of municipal physicians,—men, at the office of the physician, women at the Board of Health office where a woman physician is on duty. The police are invoked only if an individual having been “denounced” neglects or refuses to comply with the summons of the Health Department. Persons who, having knowledge of their infectious condition, communicate disease, are punished with imprisonment for not exceeding three years.

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The Danish law dealing with the subject represents a gradual evolution greatly hastened in its final stages by the Norwegian example. The proffer of free treatment dates back to 1788; in the law of March 30, 1906, fifteen of the eighteen paragraphs which compose the statute deal with the problem of venereal infection. The main provisions are the following: It is made a punishable offence to communicate venereal infection even as between husband and wife; any person who in ignorance of his or her condition infects another is liable for the medical charges and damages; venereally infected persons may, regardless of their ability to pay, receive free treatment from the municipality; if the manner of living of the patient is such as to endanger others, or if the patient does not observe directions, or is a pauper in receipt of aid, he or she may be forcibly interned,—*the decision to rest with the police officials*; every physician is obligated to hand venereal patients a printed warning against marriage and against sexual intercourse, and to explain the legal liabilities incurred through violation of this injunction; every physician must report the instances in which such action has been taken by him; patients are free to indicate the supposed source of their infection, though not obliged to do so; a child, suffering with syphilis may not be nursed by any one other than its own mother; nor may a syphilitic wet nurse continue the practice of her vocation. A woman arrested for any offence connected with prostitution

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or on the charge of infecting another may with her consent be medically examined through the police; in case of refusal to submit, the courts shall have the power to order the same; compulsory examination must be carried out by paid municipal physicians of the same sex as the accused; in Copenhagen municipal clinics must be maintained by the department of health in different parts of the city. Should the patient fail to obey instructions, the case must be reported by the attending physician to the City physician, who is authorized to take action.

At Rome, side by side with the ineffective municipal regulatory system previously described, the royal government of Italy has, by a law approved August 1, 1907, instituted a dispensary system, in many respects closely following the Danish type. The measure provides for "gratuitous public prophylaxis of gonorrhœa, soft chancre, and syphilis." The dispensaries are to be organized by the communes acting in co-operation with the ministry of the Interior, or in default of such arrangement, by the Interior department itself; the expense is to be borne by the commune assisted by governmental aid; physicians shall be appointed by the government; "they shall treat without any distinction all sufferers from venereal diseases who apply to the dispensaries. The cure is gratuitous for all alike." Provision is further made for hospital facilities. Supplementary sections endeavour to bring professional prostitutes within the scope of the act.

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Between the Italian and the Scandinavian legislation above summarized there is, however, an important distinction. The Italian scheme is wholly and unconditionally voluntary and hygienic; it lacks altogether compulsory features, addressing itself unreservedly to health, without regard to either order or morals. A ministerial circular, interpreting its scope and purpose declares: "Any construction of the law aiming to ascertain the presence of disease is unlawful and in opposition to its purport, because the police spirit leads to the concealment of disease and avoidance of cure. . . . The prophylaxis of venereal disease is to be kept entirely distinct from the protection of morals and the measures of the police. The two services differ in object,—the one having a hygienic end, the other aiming to protect public order. Confusion is dangerous and constitutes an abuse."

As contrasted with this thoroughgoing acceptance of the voluntary point of view, the Danish policy retains certain vestiges of police complicity. It includes, for example, the right of compulsory examination in case of women arrested for offences indicative of professional prostitution; it continues to relate the police to venereal disease, through the compulsory proviso above cited and through the provisions encouraging the disclosure of the supposed source of the infection.

As to the wisdom of the above-mentioned provisions grave doubt exists. They are unques-

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tionably in conflict with the spirit animating the statute as a whole. Dr. Santoliquido, the author and administrator of the unqualified Italian scheme, is strongly of the opinion that the slightest taint of police complicity or the slightest suggestion of publicity seriously impedes the utilization of the facilities offered. The Danish law-makers were evidently afraid to be thoroughgoing. On the one hand they were entirely clear that regulation failed. They saw that, to entice disease out, to ensure more general, more skilful, more thorough treatment, the interest and the intelligence of the patients had to be appealed to; they must be taught to be cured for their own sakes and that of others; and in order that every obstacle thereto might be removed, treatment offered in a scientific spirit must be made free and accessible. They feared, however, to leave the matter at this point; they felt that some provision had to be made for backsliders; and to keep these under treatment, even against their own inclination, the intervention of the police was made possible. Undoubtedly the individuals immediately concerned may thus gain,—for they may be helped. But the danger is that unfortunate indirect effects may more than outweigh the direct favourable effects.

There is, then, some doubt as to whether the second part of the Danish arrangement does not tend to defeat the first. Even under police regulation we observed that most was achieved where force was most completely dissembled; and, wherever, as at

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Paris, police regulation and voluntary hospital facilities are both provided, the latter are far more effective than the former. Moreover, the remnant of police compulsion is always in danger of relapsing into regulation, applicable mainly, perhaps altogether, to women,—a policy to which we have discovered insurmountable objections.

From the standpoint of the theory of the law, then,—that abundant facilities for treatment coupled with an unqualified appeal to the intelligence and self-interest of the patient is likely to reach, on the whole, the largest number of the afflicted—grave question may also be raised regarding denunciation of the source of a particular venereal infection. On its face, the transaction appears reasonable enough: a sufferer, after interrogation by his physician or of his own motion, may report his belief that he was contaminated by this woman or that. The information communicated by the doctor to the police is held in strict confidence, and the person involved may be requested to call at police headquarters; where, being informed of the nature of the accusation, it is suggested that he (or she) consult a physician; should he (or she) be reported as ill, treatment may be compelled, if the individual declines otherwise to submit. On its face, this looks like a not unreasonable method of attacking infection at its source in the case of persons who lack the conscience or the intelligence to act of their own accord. Denunciation aims to bring these concealed sources to light,

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and offers them treatment, if they are intelligent enough to take advantage of such opportunity.

As a matter of fact, the thing is by no means so simple. In the first place, with the best intention, the patient may be mistaken as to the source of his or her infection. Prostitution is promiscuous on both sides. The women notoriously consort in quick succession with many men; men often consort with different women. The periods of incubation are more or less indefinite and variable, so that a mere reckoning back to a particular act of intercourse is not conclusive.

The very difficulty in question opens the way to error and abuse. Despite the confidential fashion in which the subject is handled, the humiliation involved in a mistaken or false accusation is no trifle. The same principle holds here as in respect to arrest for alleged solicitations—a single error is worse than a hundred omissions. It is a totally different thing from a mistaken allegation that some other infectious disease exists in a given house or person,—diphtheria, for example, or scarlet fever. The manner in which venereal disease is usually contracted, the implications attending its presence, set it off in a class by itself. A procedure that might, therefore, be safely employed in reference to scarlet fever, if feasible or necessary, may be totally inapplicable to syphilis.

The experience of Copenhagen has quite fully justified these doubts. Denunciation is an invitation

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to blackmail ; it can be and has been employed by men simply to rid themselves of women of whom they have tired ; for, while in theory equally applicable to both sexes, under existing conditions women have most to fear from it. For this reason, physicians do not regularly report to the police the alleged sources of infection ; nor do the police always act even on such denunciations as reach them. But despite the caution with which the police act, it happens not infrequently that denounced women prove on examination to be free of infection. Women wishing to be revenged upon former "friends" or lovers do not hesitate to employ the same device ; and not infrequently with a similar result.

As the police cannot permit themselves to be made an indiscriminate instrument of private oppression or vengeance, they use their own discretion as to whether they will act on a given "denunciation." Necessarily therefore their action is so uncertain as to be quite ineffective ; with anything less than the most complete integrity it might readily be something worse than uncertain. The officials are therefore in serious doubt as to whether denunciation is workable even under the comparatively simple conditions of the Norwegian and Danish capitals ; of a commission of nine persons recently appointed to consider the question in Copenhagen, five members favoured repeal ; four favoured retention, not on the ground of its general value,

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but as a means of reaching utterly reckless or insane individuals who go so far as to boast of their success in disseminating disease.

But perhaps a more serious objection to denunciation from the purely sanitary standpoint lies here; —that it continues the hurtful association of venereal disease with the police. A certain number can, of course, be laid hold of. This is so much to the good; but suppose it impedes the wider acceptance and operation of the voluntary principle, on which, in the long run, the success of the dispensary system depends? The large number of disappearances above noted suggests the repellent outcome of this traditional association, which must be completely uprooted, if persons ill of venereal disease are to seek treatment as readily as those ill of measles or mumps.

The problematical points above discussed do not, however, touch the heart of the subject. At bottom, the issue between regulation and abolition turns upon this question: are the ravages of venereal disease more likely to be mitigated by the medical examination and compulsory treatment of registered prostitutes, assuming such examination and treatment to be as intelligent as they can be made, or by the provision of free, abundant and confidential opportunities for all sufferers, assuming that the dispensaries are as well conducted as they can possibly be? In behalf of patient and thorough experimentation along the latter line, the failure of regulation is of course the first and perhaps most powerful argument.

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The Italian sanitarians lean largely on another,—that compulsion can in no event be defended, since it involves an infraction of personal liberty. In my judgment, it is a pity to raise a metaphysical issue of this kind. Could it be once proved that compulsion succeeds, society would probably not permit itself to be balked by abstract principles of personal liberty. No individual's liberty can be made to include the privilege of spreading contagion, if a demonstrated method of checking the process is known. In this volume, I have throughout endeavoured to meet regulation on its own ground. A verdict unfavourable to regulation has been found in the first instance, not because it violates personal liberty, but because it fails. In the same way, the voluntary system is recommended, not because it is consonant with modern theories of individuality, but because it may prove the most effective way of throwing light upon the dark corners in which disease huddles and multiplies.

Experience affords as yet no conclusive proof of the superiority of the voluntary system. The system cannot be judged until communities have been educated to take advantage of it, or—what comes to the same thing—until it becomes evident that it is impossible to educate the afflicted to take advantage of it. The ancient police association must altogether die out; even the feeling of personal humiliation about contamination must be taught to subordinate itself to a realization of the duty of submitting to

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competent treatment. It is not surprising to find that the women formerly registered in Copenhagen used their freedom in the first instance to stay away; the more intelligent consulted private physicians, but the others simply ignored their condition. This experience does not prove either the wisdom or necessity of regulation; it proves only the baneful effect of associating hygiene with the police and the necessity of patience until the former association is dissolved and an entirely new association created.

How far results may be claimed for the voluntary system, I shall consider in a moment. But certainly the way the system operates creates a presumption thus far in its favour. Notwithstanding the partial retention of the police connection, the dispensaries of Copenhagen are already treating more women than formerly were reached by regulation; in the year 1910, of all cases reported to the Health Office, 40% had taken advantage of the dispensaries. The following tables exhibit the attendance of new patients at the free dispensaries during the years 1910 and 1911:

Year	Men	Women	Children	Sent into Hospital	Reported for failure to keep up Treatment
1910	3,991	1,090	78	750	238
1911	3,748	1,165	72	644	277

Moreover, the attitude of the prostitutes themselves is perceptibly changing. I mentioned above that at the outset they refused to attend the dispensaries. I

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was, however, reliably informed that this is no longer the case to anything like the same extent. M. Augagneur submitted to the French Extra-Parliamentary Commission a comparative table strongly confirmatory of the Danish experience. The record in question runs from 1876 to 1903; it shows the number of women—registered and non-registered prostitutes respectively—who were treated for venereal disease at the Hospice de l'Antiquaille: in 1876, 835 registered prostitutes, 281 non-registered. Thereafter, the former steadily declined with the inevitable disintegration of the regulatory system; the latter tended to rise. In the final year (1903) the registered prostitutes compulsorily treated numbered only 180; the clandestines voluntarily treated had increased to 327.

The attitude of the medical profession is an interesting indication of the way in which the new law has worked. At the outset, nine-tenths of the Copenhagen doctors were regulationists; even those favourable to abolition were fearful of sudden abolition. Nowadays the medical professions of both Christiania and Copenhagen are described as practically unanimous against regulation.

A word as to one other peculiarity of the Scandinavian laws,—viz. the notification of venereal disease. In Christiania, physicians are required to report daily to the Health Department, without names, new patients suffering with any venereal disease. The Danish law is similar; while other contagious

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diseases are notifiable with names, venereal diseases are notified without names as a rule. The policeman on the beat collects the notices as he makes his rounds. A circular, dated July 1, 1912, institutes a similar form of notification in Sweden. It is stated that all cases of contagious sexual disease must be reported by the attending physician in franked envelopes to the "official physician of the province or the board of health, with the name of the disease, the age and sex of the patient, but without name and address." It is impossible to discover that notification itself has had any bad effects whatsoever. It appears rather to have assisted in making the sufferer realize his danger to others,—precisely as the notification of other diseases has resulted in increased conscientiousness. The fear one observes among English abolitionists, that notification may prove an indirect method of reinstating regulation of one sex is baseless, in so far as Denmark and Norway are concerned.

In England, the public authorities concerned with the prevention and treatment of disease have thus far made "no organized effort to diminish the prevalence of venereal disease," nor would the desirability of their interesting themselves in the matter "be accepted as indisputable," says the Inspector for the Local Government Board (1913). The hospital provisions for venereal diseases are utterly inadequate. Indoor accommodation in the large voluntary hospitals of London there is practically

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none,—and this even in teaching hospitals. The Inspector for the Local Government Board reports that “no beds or wards were reserved for infective venereal cases in any of 30 general hospitals visited in London and the provinces. In one of the London hospitals, a rule precluded the treatment of unmarried women suffering from venereal disease, though no such rule existed with regard to unmarried men.” A more liberal policy characterizes the out-patient departments, though their organization and equipment are both defective. The poor law infirmaries and work-houses are apt to be better equipped; and it is interesting to note in passing that the administrators of these institutions when asked for their “opinion regarding the advisability of endowing the guardians with the powers of compulsory detention (of those seeking treatment for venereal complaints) were practically unanimous in declaring that it would deter patients from coming.” A few special hospitals called lock-hospitals are also devoted to the care of venereal patients. Out-patient services are also found in connection with the lock-hospital. English conditions in this respect therefore deserve the severe language of Sidney and Beatrice Webb: “The man or woman suffering from gonorrhœa or syphilis, even if the innocent victim of another’s guilt, is refused admission to the voluntary hospital; deterred, and as often as possible, hustled out of the workhouse; and wholly unprovided for by the local health authority.” Moreover, the method of conducting the

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only available resort—the lock-hospital—is more or less repellant. The patient is made to feel that his cure ought also to be a penance. The head nurse opens and reads all letters sent or received, a measure that marks off the venereal from any other patient. The sanitary spirit is as yet quite undeveloped.

The abolition cities on the Continent are in respect to hospital facilities much better off, for dermatological clinics, including beds for venereal diseases, form part of the general hospitals in large cities.

There are many reasons why a summary method of settling the issue between abolition and regulation by results is inapplicable. In the first place, available data are neither sufficiently reliable nor sufficiently complete. Recent improvements in diagnostic art show the existence of venereal disease where mere clinical examination—up to recently the sole reliance of the physician—is incapable of discerning it; in some cases, the same improvements now result in a negative diagnosis where superficial appearance might formerly have led to a positive opinion. Hence one serious defect of even conscientiously compiled figures. But there is another serious source of error. Such general statistics as exist are in an extraordinary degree fractional and unscientific. Only in certain small sections of Scandinavia has a more or less accurate system of reporting been in vogue for even a relatively short period. Elsewhere our inferences must be based on hospital and insurance reports or rough personal estimates.

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Statistics and opinion, however, both concur in an indirect contribution to the problem. Venereal disease is shown by both to be so widely prevalent in regulated cities that one marvels whether the situation could really be any worse under even the most radical *laissez-faire* abolition. It is a truism that physicians eager to equip themselves as specialists in venereal disease resort to the crowded clinics of Paris, Vienna, and Berlin, all regulated towns, because there disease is found in greatest abundance and richest variety,—a strange comment on the alleged efficacy of regulation! On the basis of all available sources of information, Blaschko calculates that of the clerks and merchants in Berlin between 18 and 28 years of age, 45% have had syphilis, 120% have had gonorrhœa; 77% have had syphilis, 200% have had gonorrhœa in Breslau. Pinkus declares that in Germany one man in every five has had syphilis, and that gonorrhœa averages more than one attack per man.

An attempt was made by the Prussian Government to take a census of the amount of venereal disease among men in the Kingdom on April 30, 1900. It developed—as far as the returns showed—that in general on that day 28 men out of every 10,000 were infected; in Berlin, however, the average was 142 per 10,000; in cities of over 100,000 inhabitants, 100 per 10,000; in the cities of over 30,000 inhabitants, 58 per 10,000; in cities under 30,000 inhabitants, 45 per 10,000.

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The inference to be drawn is obvious: the amount of venereal disease is in direct relation to the size of the town. The figures given cannot accurately represent the actual totals; but they may nevertheless give a fairly reliable indication of relative conditions. The steady decrease with the size of the city appears to suggest the main, perhaps the sole important concrete factor, viz., the size of the city; a factor upon which we shall stumble again in another connection.

A similar inquiry was also made in Sweden, with a view to determining how many persons were under treatment for infectious venereal disease January 31, 1905. A questionnaire was sent to 1,264 physicians, of whom 1,181 replied. The Swedish and Prussian figures are set side by side in the following table:

SWEDEN (JAN. 31, 1905). PRUSSIA (APR. 30, 1900).

	Soft			Soft		
	Syph.	chancre	Gon.	Syph.	chancre	Gon.
Stockholm (pop. 317,964)	23.	1.2	31.2	Berlin	23.6	5.8
Göteborg (pop. 138,030)	15.6	1.4	18.9	Seventeen cities of more than 100,000 inhab.	17.8	3.5
Malmö (pop. 70,797)	14.4	3.1	28.6	Forty-two cities 30-100,000	10.8	1.9
Norrköping (pop. 44,378)	11.3	0.3	16.8	Whole King- dom	5.1	1.1
Whole King- dom	3.6	0.3	5.4			9.9

A more definite impression is obtainable regarding the incidence of venereal disease in European armies: do the curves thus arrived at throw any light on the issue between regulation and abolition? The sub-

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joined graph embodies the official statistics of the war offices of Europe from 1881 to 1905.

At first sight, the graph might be interpreted as a conclusive argument in behalf of regulation. But careful consideration entirely changes its significance. In the first place, the earlier or more unfavourable English statistics are stated to be altogether unreliable. It is indeed on the face of the matter impossible to credit anything like the precipitous decline depicted. Moreover, the implied comparison is itself unfair. A continental army includes the youth of the entire nation,—all those between certain ages,—city and country boys alike; the good elements dilute the showing that would be made by the bad. The English army, on the other hand, is a volunteer force, largely recruited from among the adventurous and the derelict,—precisely those among whom an inordinately large proportion of venereal disease would naturally occur. Moreover, the very magnitude of the discrepancy is fatal to its explanation by regulation. The marked variations between the armies of regulated countries,—Italy, Austria, and Prussia, indicate clearly the existence of other factors.

To whatever the general differences in the curves be due, there is nothing in them to suggest that regulation plays any rôle whatsoever. Closer consideration of separate curves will establish this proposition beyond dispute. The English Contagious Diseases Acts, under which medical inspection of prostitutes was instituted, were repealed in 1886, the very year

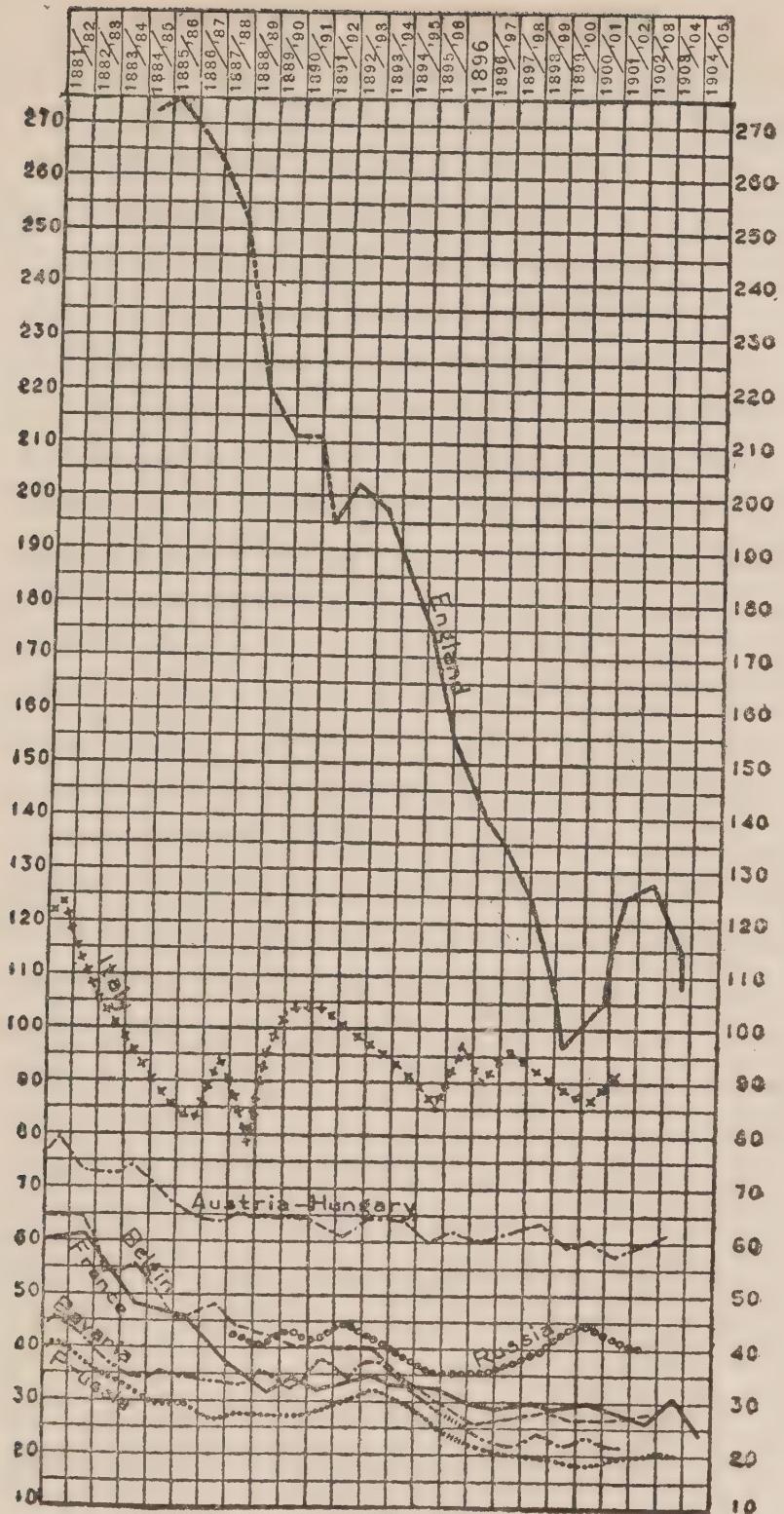


FIG. I.

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in which the graph records the highest incidence of venereal disease in the army. Repeal was followed, not by a rise, but by a fall that, except for the interlude created by the Boer War, has continued almost uninterruptedly from that day to this. Regulation was at its height in England from 1870 to 1882. In the former year, of 38,408 recruits inspected, 15.78 per thousand were rejected on the score of syphilis; the number of recruits increased during the period in question to 45,423, of whom in the last year of effective regulation 10.72 per thousand were rejected for the same reason. Is this improvement attributable to regulation? Clearly not; for the rate of rejection has declined since abolition more rapidly than at any other time: in 1886, 77,991 were examined and 8.18 rejected per thousand; in 1897, 59,986 were examined and 3.47 rejected per thousand.

The annual admission of enlisted men to hospitals for venereal diseases tells the same story. In 1886—the year of the repeal, this reached the startling total of 267.1 to the thousand; by 1900, the figure had fallen to 93.2; it rose to 125 in 1903, and fell thereafter steadily to 66 in 1909.

A comparison made between regulated and non-regulated military stations before and during regulation and after abolition exhibits capricious variations indicating clearly the negative outcome of regulation: (See Fig. II, p. 284.)

Col. Melville's analysis is as follows: "The most obvious fact is the parallelism of the curves.

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Though the curve for unprotected stations is on the whole higher, they follow the same general trend. They both fall at first, and from 1875, they both rise steadily. Regulation did not keep disease down between 1876 and 1882; its increase in unprotected stations was proportionately somewhat less than in the protected. The marked increase in the protected stations after relaxation of the rules in 1882 only continues the rise originating six years previously. Total repeal in 1886 is followed by a very marked fall in both curves, which, however, had begun in 1883 in the unprotected, and in 1884 in the protected stations."

German army statistics, intensively studied, yield a similarly negative result as to benefits of regulation in respect to the incidence of venereal disease. Recurring to Figure I (p. 281) we observe that the extent of infection decreased continuously from 1881 (as in all other armies except the Italian, where irregularities are considerable) up to 1900, despite the fact that, as has been shown, methods of medical examination were so crude that they probably caused more disease than they isolated. The Dutch curve has also consistently dropped,—most of all so, since abolition. In Stockholm, the statistics exhibit the same decline, coincidentally with the gradual weakening of regulation.

Closer inspection of the Prussian statistics brings to light the one significant factor that we have already remarked in a previous connection, viz., the size of the

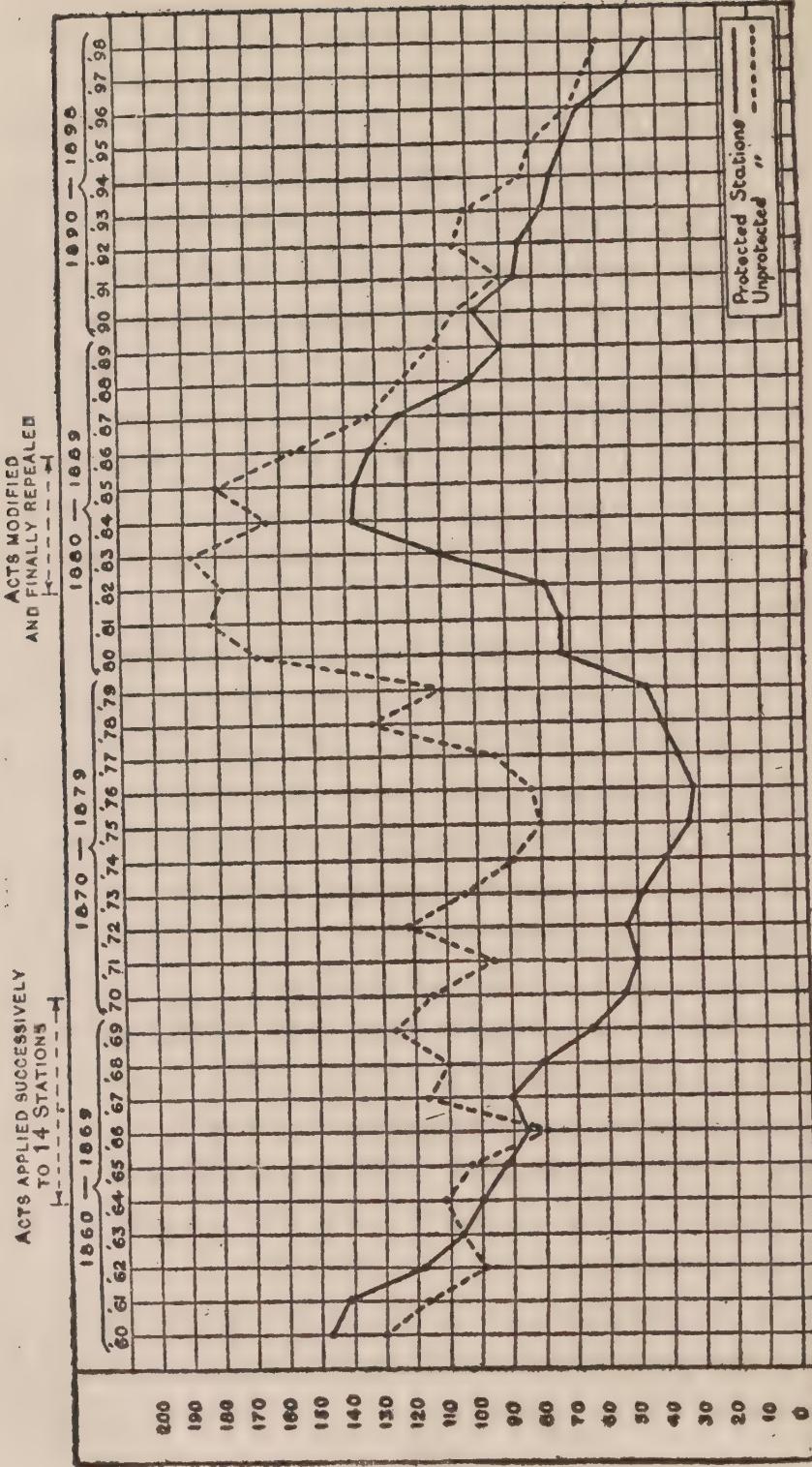


FIG. II.

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community involved. It appears that during a series of years the percentage of venereally infected recruits is practically constant at 7.7%, despite the ups and downs of regulation meanwhile; but infection in different army corps shows wide discrepancies, varying from four per cent. in the XI, XII, and XIV army corps to 20.7 per cent. in the III, which is stationed in and about Berlin. The same relation holds as to recruits. The really important factor is the size of the town. Throughout the period (1903-5) the extent of infection among recruits dwindled with the size of the places from which they were drawn; regulation had nothing whatever to do with it. Berlin showed an infection of 41.3 per cent.; towns of more than 100,000 inhabitants 15.8 per cent.; towns between 50,000 and 100,000, 10.2 per cent.; those between 25,000 and 50,000, 8 per cent.; smaller towns and the country districts, 4.4 per cent. The size of the garrison has a similar effect. Regulation can have had no influence whatever on these figures; and this is all the more certain in view of the fact, that though regulation has tended to disintegrate in the last two decades, the percentage of infection, everywhere a matter of the size of the place or the garrison, has in this period, everywhere in absolute amount markedly decreased: in the smallest garrisons, from 33.2 per cent. in 1885 to 11.9 per cent. in 1905; in the largest, from 36.8 per cent. in the former year to 26.6 in the latter.

Evidence more direct, though of limited range in

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point of time, is contributed by various towns that have adopted the abolition policy. Of these, Christiania is by far the most satisfactory. It has the longest record and the most satisfactory statistics. If diagnostic means have not been too defective in the past, a stretch of something like 20 years is represented by the abolition experience of the Norwegian capital, which has increased in population during the period in question from something below 80,000 to almost a quarter of a million.

The official table (see p. 287) gives the local situation from 1876 to 1911, inclusive.

In the period covered by these statistics, the population of Christiania has trebled; we might, therefore, expect a marked rise in the presence of venereal disease. As a matter of fact, the incidence of syphilis was never again so high as in the first year; with certain fluctuations, it fell, despite the marked increase in population, from .53 per cent. in 1876 to .22 per cent. in 1911. The decline in all three diseases taken together, though not quite so striking, is sufficiently noteworthy in the face of general conditions that might account for a rise: 1.28 per cent. in 1876, .96 per cent. in 1911. Abolition took place in 1887. During some of the following years a rise is observable, explicable in several ways: (1) It was the purpose of the law to induce disease, hitherto hidden, to come out into the open. A rise in the number recorded might mean not more fresh cases, but

Year	Gonorrhea			Acquired Syphilis			Congenital Syphilis			Population			Reported total as percentage of population	Reported cases of syphilis as percentage of population			
	Men		Women	Men		Both	Men		Both	Men		Both					
	Men	Women	Both	Men	Women	Both	Men	Women	Both	Men	Women	Both					
1876.....	593	909	149	134	—	297	—	—	—	1012	79 022	1.28	0.53	0.53			
1877.....	—	—	—	166	—	311	—	—	—	1373	106 781	1.28	0.31	0.31			
1878.....	—	—	—	114	814	154	—	—	—	1548	112 977	1.37	0.22	0.22			
1879.....	951	1127	205	211	864	268	156	424	43	1342	116 801	1.58	0.34	0.34			
1880.....	1208	1427	265	98	864	268	156	424	43	2356	119 407	1.39	0.89	0.89			
1881.....	1277	159	1468	353	78	431	203	151	458	33	72	2424	122 033	1.99	0.43		
1882.....	1140	146	1286	590	127	707	409	188	493	21	44	2535	122 424	2.07	0.44		
1883.....	1109	136	1286	257	49	306	175	111	286	21	15	1924	124 165	1.55	0.28		
1884.....	1118	142	1280	208	67	265	172	128	253	17	23	1862	128 800	1.45	0.27		
1885.....	997	156	1183	175	82	297	148	123	271	23	23	1723	130 790	1.22	0.25		
1886.....	1095	99	1194	292	65	357	163	101	254	25	14	89	1854	184 036	1.39	0.23	
1887.....	829	106	935	806	87	243	175	97	272	21	23	44	1594	136 615	1.18	0.23	
1888.....	509	66	575	71	15	87	103	169	212	18	14	32	1965	138 319	0.69	0.18	
1889.....	585	85	670	73	8	81	187	107	234	10	22	32	1677	143 347	0.76	0.23	
1890.....	679	60	739	213	25	238	320	173	503	16	13	29	1614	151 180	1.00	0.26	
1891.....	759	42	601	180	15	195	205	203	473	10	10	20	1489	156 635	0.96	0.21	
1892.....	935	90	1025	192	13	205	255	208	463	9	13	27	1620	161 161	1.13	0.37	
1893.....	1069	97	1166	230	23	283	273	229	507	12	15	27	1933	167 683	1.18	0.32	
1894.....	1288	121	1404	281	29	310	353	193	546	25	17	49	2392	174 717	1.32	0.34	
1895.....	1482	126	1608	837	34	421	613	206	724	26	14	49	2793	182 856	1.52	0.42	
1896.....	1471	149	1620	893	49	442	498	223	733	22	23	60	2355	192 654	1.48	0.41	
1897.....	2031	173	2204	437	46	493	450	533	683	25	25	50	3420	233 937	1.69	0.36	
1898.....	2125	207	2332	61	184	565	555	259	624	25	27	52	3392	231 255	1.67	0.40	
1899.....	1966	191	2156	491	44	535	542	221	764	25	24	69	3325	236 423	1.66	0.37	
1900.....	1871	170	2041	607	43	650	487	135	652	28	26	54	2397	236 929	1.44	0.31	
1901.....	1684	174	1853	292	32	455	368	196	643	29	17	49	2392	224 909	1.27	0.30	
1902.....	1576	159	1735	418	37	440	461	383	614	24	20	44	2402	225 709	1.24	0.27	
1903.....	1570	166	1753	401	39	447	367	355	134	509	26	24	60	2357	222 878	1.11	0.26
1904.....	1393	139	1631	247	20	294	340	198	463	24	23	50	2335	226 774	1.03	0.23	
1905.....	1884	133	1623	273	16	294	302	129	461	10	16	45	2689	229 824	0.82	0.21	
1906.....	1108	132	1240	169	14	188	251	123	374	10	23	35	1507	231 697	0.68	0.19	
1907.....	903	112	1015	103	10	143	251	123	374	21	23	41	2196	225 674	0.75	0.20	
1908.....	1055	107	1162	183	21	219	276	184	412	23	26	56	1959	229 511	0.82	0.22	
1909.....	1149	101	1250	172	19	191	215	142	457	21	27	49	2062	244 263	0.96	0.21	
1910.....	1231	98	1859	206	14	229	249	141	478	27	15	49	2376	247 456	0.96	0.22	
1911.....	1273	94	1497	897	27	354	323	163	519	19	17	49	2376	247 456	0.96	0.22	

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merely more cases under proper treatment. (2) Coincidently with the introduction of the new law, these diseases had to be reported daily, instead of monthly, and greater accuracy in this respect might account for a rise indicating not more disease, but more complete statistics.

The experience of Copenhagen is unfortunately too brief to be of commanding importance; a proper system of notification was introduced for the first time in July 1912. Available statistics, obviously very incomplete, make the following showing:

Years	Soft Gonorrhœa	Acquired Chancre	Syphilis	Congenital Syphilis	Total
1907	5,684	728	1,869	39	63
1908	6,320	1,164	2,349	63	61
1909	6,029	1,034	2,108	57	52
1910	6,076	848	2,330	39	85
1911	6,500	692	2,543	66	87
					9,888

During five years there has been on the face of the figures a rise of 18 per cent. in the total number of cases reported. Does this indicate wider contamination as a result of abolition? Let us consider. During the same period the population increased from 426,540 to 462,161, so that to some extent at least the apparent increase is relative, not absolute. Moreover, the entire tendency, here as in Christiania, has been to lay hold of as many infected persons as possible; in other words, unless more cases were brought to light for some years to come, the dispensary policy would be a failure.

In relation to population, the following table shows

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the incidence of venereal disease per 10,000 inhabitants at Copenhagen, since 1867. Needless to repeat, only the statistics of more recent years are of any genuine consequence:

Year	Gonorrhœa	Soft chancre	Syphilis	Year	Gonorrhœa	Soft chancre	Syphilis	Year	Gonorrhœa	Soft chancre	Syphilis
1867...128	50	49		1882...222	60	42		1897...128	22	42	
1868...144	73	56		1883...226	51	45		1898...133	22	48	
1869...152	92	58		1884...207	61	49		1899...125	19	48	
1870...158	59	47		1885...212	51	66		1900...129	17	50	
1871...148	49	42		1886...202	55	73		1901...137	24	57	
1872...160	72	45		1887...183	32	59		1902...127	14	46	
1873...147	71	39		1888...174	24	41		1903...125	11	43	
1874...159	69	40		1889...148	31	31		1904...115	11	39	
1875...162	42	33		1890...140	28	30		1905...114	11	32	
1876...178	53	32		1891...129	25	31		1906...112	18	33	
1877...186	46	32		1892...129	24	28		1907...129	17	45	
1878...196	37	32		1893...135	20	32		1908...142	26	56	
1879...194	38	41		1894...122	20	36		1909...134	23	49	
1880...190	40	40		1895...118	13	40		1910...132	18	53	
1881...200	54	40		1896...124	16	39		1911...140	15	58	

Despite considerable variations, a comparison between the course of events in Copenhagen and Christiania in respect to syphilis, shows that there was relatively to population less syphilis in Christiania in 1910 than in 1890; that, though the amount of disease treated in abolition Christiania was in the years immediately succeeding repeal greater than the amount reported in Copenhagen, conditions rapidly improved, so that the situation is now well in hand. The maximum was reached almost twenty years ago (1895). The Copenhagen figure continues to rise

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until 1901, when it falls unaccountably, rises on repeal of regulation and shows a declining tendency as the new system gets to working more smoothly. In any event, Copenhagen with control and with an imperfect system of notification actually shows almost uninterruptedly more syphilis than Christiania without control and with a much more thorough system of notification. That abolition alone is to be credited with the decline or with the difference between the two cities cannot be maintained. A very marked instance is the decline in reported cases of syphilis at Copenhagen between 1901 and 1905,—while regulation was still in vogue. That abolition with the dispensary system treats more disease than regulation is beyond all question. It has been shown that unless the evidence is clearly in its favour, regulation falls to the ground. As to this, there is no question whatsoever. The medical profession, the health authorities, the police of both Christiania and Copenhagen are wellnigh unanimous in their conviction on the basis of experience and statistics that abolition has done no harm; and if abolition has done no harm, assuredly regulation can have done no good.

A single bit of evidence may also be gleaned from the experience of Zurich. The records of the Polyclinic (out-patient department or dispensary) and the cantonal hospital are available since 1894. Bordells were forbidden in 1897. The population of the city was at that time 140,000; by 1911, it had

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risen to 195,600. Yet the total number of cases treated at the dispensary fell from 483 in the former year to 392 in the latter. The number of venereal patients admitted to the cantonal hospital, 114 in 1897, has now risen to 251, but the ratio to population has decreased.

Let us now bring together the results of the two chapters in which we have discussed this problem. In the first place, let me remind the reader of the absurdity of supposing that regulation means that the authorities are alive to the problem of venereal disease and that abolition means that they close their eyes to it. Regulation means simply that the police deal with a very small portion of venereal disease; on the Continent, at least, abolition means that the health authorities are energetically attempting to reach more and more of it.

In the second place, we must emphasize the fact that venereal disease is inevitably attendant upon sexual promiscuity. Venereal disease is an evil in itself and deserves to be combated with all the resources and facilities known to science and to sanitation; we have discovered absolutely no reason—statistical or other—to believe that regulation at all reduces its ravages; there is, however, good reason to believe that the bordell and the medical examination contribute to its aggravation by increasing miscellaneous commerce and by decreasing resistance. On the other hand, there is no ground—statistical or other—for believing that abolition

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increases disease; there is excellent reason for believing that abolition, plus a deliberately planned and organized dispensary system, has already proved a mitigating factor and is capable of much greater usefulness than has yet been anywhere realized.

This summary still leaves on our hands the problem of understanding the fluctuations of venereal infection. But in this respect, venereal disease is one with other infections and contagions. We know as yet practically nothing of the factors which determine the rise and fall of infectious disease curves, or the outbreak and the subsidence of epidemics. Apart from any prophylactic measures yet known to science, such scourges as syphilis and gonorrhœa wax and wane. Throughout the world, there is some evidence to suggest that aside from temporary disturbances due to war, they have been for a decade or two in the declining stage; whether this is temporary or permanent we have absolutely no means of telling; experience suggests the former, but time alone will tell.

I would not, however, convey the notion that all fluctuations are mysterious and spontaneous and that therefore nothing can be accomplished by intelligent action. The army curves are an argument against any such fatalistic view. With increased keenness of military competition, every factor conducive to efficiency has to be reckoned with; the outcome of war would, it is felt, depend not only on battleship tonnage and the paper strength of the

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army, but on the health of the crew and of the enlisted men; their physical vigour is at least as important as smokeless powder and a powerful rifle. Almost simultaneously, therefore, the war authorities of Europe have undertaken to compete with the tavern and the wanton. The enlisted man is taught that continence is possible and wholesome; he is urged, if he has indulged himself, to employ prophylactic measures; in the highly probable event of their failure, he is to have prompt recourse to the surgeon.

The indisputable improvement that intelligent endeavour has thus effected in all European armies is a strong argument in behalf of applying a similar policy to the general population. I have said that venereal disease is an evil in itself. That nation which first succeeds in reducing it will have scored heavily on its competitors. The German Society for combating venereal diseases is the most vigorous organ in Europe engaged in the cultivation and dissemination of this point of view. It urges that the same methods be employed in the contest with venereal disease that are invoked against other scourges: medical research for the means of prevention, isolation and cure; enlightenment of all those afflicted or liable to affliction in order that the willing intelligence of the patient may co-operate with the rational intent of the community. Venereal disease offers indeed peculiar difficulties, but they are difficulties that only strengthen the argument for intelligence and resource broadly utilized. If this

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be true, the situation described does not call for regulation, tending, as it does, to concentrate its fire upon a few foci, and to cover up other sources of infection so that they fester in darkness, but rather for the more liberal and enlightened policy, which, if not identical with abolition, follows naturally in its wake.

CHAPTER XI

THE OUTCOME OF EUROPEAN EXPERIENCE

If the preceding pages may be assumed to have exhibited the present condition of prostitution in Europe, the reader need not be long detained for the purpose of summarizing the main inferences to be drawn from them. It must be clear that prostitution is far more widespread than superficial appearances indicate; that its roots strike deep, socially and individually; that police regulation has proved unnecessary, in so far as the keeping of order is concerned, and positively harmful in its bearing on the problem of venereal disease. We may well ask whether European experience suggests any broader reflections with which this study may appropriately be brought to a close.

Whatever one may hold as to ultimate dealings with the subject, it is clear that prostitution is at any rate a modifiable phenomenon. If bordells are established and allowed a free hand in procuring inmates and business, if a community ceases to be concerned as to the condition of the streets, as to the

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conduct of the liquor and amusement traffic; there is no doubt that under these circumstances the number of prostitutes and the volume of business transacted by them would at once increase.

The converse of the proposition is equally true. If prostitution and its evils can by social arrangements be increased, they can also by social arrangements be lessened. If unhampered exploitation and prominence make matters worse, then interference with exploitation and prominence makes matters better. Making every allowance, I believe that the student of prostitution in Europe is warranted in declaring that, with the suppression of bordells and of the white slave traffic, and the maintenance of improved external order, a substantial amount of good has been accomplished, even if new problems have simultaneously developed in consequence of the growth of cities and the accumulation of wealth; further, it may safely be maintained that these efforts have not yet reached their limit.

What are we fairly justified in expecting from directly repressive action on the part of the community? Prostitution is a phenomenon arising out of the complicated interaction of personal factors and social conditions. Looked at from this point of view, the attempt to stamp it out completely by summary, even though persistent, action, cannot be hopefully regarded. The instrument which a municipality must use to that end is the police. Now the police is an instrument which, serving, as it does, many useful purposes, must be preserved as nearly intact

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as may be. We have seen that contact with prostitution threatens its integrity and efficiency. On the police, therefore, no more can be laid than it is capable of bearing. Where the general level of administration and discipline is high, more can be safely demanded than in communities in which the level is lower; where public sentiment is active and definite, the burden may be further increased.

It is evident, however, that, even amidst favourable general conditions, the very nature of the instrument employed involves, under the complicated conditions of modern life, limitations against which one soon runs. Police repression can be directed mainly against professional prostitution and its exploiters. But in so far as the prostitute herself is personally concerned, repression becomes operative only after the woman has been wrecked. It penalizes an accomplished fact. Powerless to crush this fact out of existence, powerless for the most part to transform the fact, sheer repression might still hope to deter the beginner by its forbidding prospect; but unfortunately, the beginner is less affected by the penalties awaiting her, because she never believes, at the start, that she is destined to end in the mire. Prostitutes must therefore be prevented rather than suppressed,—prevented, too, on both sides, in the sense that the sources of supply must be closed and the demand diverted into other channels.

It is a further limitation of the repressive policy, as ordinarily conceived, that it operates almost

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altogether upon the woman. We are reminded of the dual nature of prostitution. It involves two partners. Imagine every brothel closed, every street-walker incarcerated. To the extent that stimulation and suggestion have by these measures been reduced, demand has suffered a check. But a strong demand still remains, unaffected by repressive measures directed merely against dissolute women. Certain stimuli have been removed; otherwise appetite is left where it was. Its gratification is impeded,—made more difficult and more expensive. But these are not insuperable obstacles in the presence of that volume of supply which, if inoffensive, is hardly reached by repressive police measures. Indeed, part of what was offensive is changed in form rather than entirely driven from the market.

Repression encounters difficulty at still another point. Prostitution is all too frequently a parasitic phenomenon that attaches itself to other phenomena, sometimes innocuous, sometimes necessary, sometimes part and parcel of national life or social tradition. Street-walking and the bordell are not thus intertwined with other activities; they represent prostitution in its barest, simplest, most undisguised form, and as such may be, with comparative ease, successfully attacked by police methods. But when prostitution insinuates itself into the ordinary life of the community, subtly, inoffensively, imperceptibly taking advantage of the forms in which business is transacted, social life carried on, or recreation en-

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joyed,—then the difficulties in the way of effective action are more serious. The cruder forms of prostitution are easily reached; but the subtler forms present problems so different in kind that in dealing with them agencies and influences of a totally different character must be employed.

I do not mean that repression will have accomplished little. On the contrary, important good is achieved at the moment and still more in the long run. But prostitution as a formidable problem will still remain. Repression is, on the whole, what physicians call symptomatic treatment; it may achieve something more than alleviate the ravages, but it does not cure the disease.

What would conceivably happen in a city like London if the police, spurred and controlled by an active popular impulse, accomplished all that could be humanly expected? Street-walking of a provocative character would disappear; the advertised brothel would cease to exist; the public house (saloon) would strictly enforce the law against the harbouring of prostitutes; the obvious forms of spurious employment would be dispersed; prostitutes would disappear from the lobby and promenade of the variety theatres, etc. The pimp, the exploiter, the third-party interest would be severely checked and, with that, the tropical growth due to them. We may also assume that a vigorous and adequate hygienic policy would lessen the volume of disease, and effect quicker and completer cures.

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What would be gained? The inducement to enter the life or to persist in it would be lessened; the total volume of business and the volume transacted by any one woman would be decreased; the financial waste would be less; the amount of disease disseminated would be less; the demoralization of the woman would often be less complete, less overwhelming, less irretrievable: surely, very important gains.

It is well worth doing; it is, humanly speaking, a possible undertaking, even though, I repeat, nowhere as yet by any means accomplished. Let us not, however, deceive ourselves into thinking that such a direct frontal attack absolves us from effort in other and different directions. In so far as prostitution is the outcome of ignorance, laws and police are powerless; only knowledge will aid. In so far as prostitution is the outcome of mental or moral defect, laws and police are powerless; only the intelligent guardianship of the state will avail. In so far as prostitution is the outcome of natural impulses denied a legitimate expression, only a rationalized social life will really forestall it. In so far as prostitution is due to alcohol, to illegitimacy, to broken homes, to bad homes, to low wages, to wretched industrial conditions—to any or all of the particular phenomena respecting which the modern conscience is becoming sensitive,—only a transformation wrought by education, religion, science, sanitation, enlightened and far-reaching statesmanship can effect a cure. Our attitude towards prostitution, in so far as these

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factors are concerned, cannot embody itself in a special remedial or repressive policy, for in this sense it must be dealt with as part of the larger social problems with which it is inextricably entangled. Civilization has stripped for a life-and-death wrestle with tuberculosis, alcohol and other plagues. It is on the verge of a similar struggle with the crasser forms of commercialized vice. Sooner or later, it must fling down the gauntlet to the whole horrible thing. This will be the real contest,—a contest that will tax the courage, the self-denial, the faith, the resources of humanity to their uttermost.

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